

House File 649 - Reprinted

HOUSE FILE 649

BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House April 7, 2011)

A BILL FOR

1 An Act relating to and making appropriations for health and
2 human services and including other related provisions and
3 appropriations, and including effective, retroactive, and
4 applicability date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT ON AGING — FY 2011-2012

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Section 1. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	9,852,577
.....	FTEs	35.00

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds appropriated in this section, \$179,946 shall be transferred to the department of economic development for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

3. a. The department on aging shall establish and enforce procedures relating to expenditure of state and federal funds

1 by area agencies on aging that require compliance with both
2 state and federal laws, rules, and regulations, including but
3 not limited to all of the following:

4 (1) Requiring that expenditures are incurred only for goods
5 or services received or performed prior to the end of the
6 fiscal period designated for use of the funds.

7 (2) Prohibiting prepayment for goods or services not
8 received or performed prior to the end of the fiscal period
9 designated for use of the funds.

10 (3) Prohibiting the prepayment for goods or services
11 not defined specifically by good or service, time period, or
12 recipient.

13 (4) Prohibiting the establishment of accounts from which
14 future goods or services which are not defined specifically by
15 good or service, time period, or recipient, may be purchased.

16 b. The procedures shall provide that if any funds are
17 expended in a manner that is not in compliance with the
18 procedures and applicable federal and state laws, rules, and
19 regulations, and are subsequently subject to repayment, the
20 area agency on aging expending such funds in contravention of
21 such procedures, laws, rules and regulations, not the state,
22 shall be liable for such repayment.

23 DIVISION II

24 DEPARTMENT OF PUBLIC HEALTH — FY 2011-2012

25 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
26 from the general fund of the state to the department of public
27 health for the fiscal year beginning July 1, 2011, and ending
28 June 30, 2012, the following amounts, or so much thereof as is
29 necessary, to be used for the purposes designated:

30 1. ADDICTIVE DISORDERS

31 For reducing the prevalence of use of tobacco, alcohol, and
32 other drugs, and treating individuals affected by addictive
33 behaviors, including gambling, and for not more than the
34 following full-time equivalent positions:

35 \$ 20,703,190

1 FTEs 13.00

2 a. (1) Of the funds appropriated in this subsection,
3 \$453,830 shall be transferred to the alcoholic beverages
4 division of the department of commerce for enforcement of
5 tobacco laws, regulations, and ordinances in accordance with
6 2011 Iowa Acts, House File 467, if enacted.

7 (2) Implementation of the tobacco use prevention and
8 control initiative for the fiscal year beginning July 1, 2011,
9 including efforts at the state and local levels, as provided
10 in chapter 142A, shall be limited to the extent of the funding
11 available.

12 b. Of the funds appropriated in this subsection,
13 \$20,249,360 shall be used for problem gambling and substance
14 abuse prevention, treatment, and recovery services, including a
15 24-hour helpline, public information resources, professional
16 training, and program evaluation.

17 (1) Of the funds allocated in this paragraph "b",
18 \$17,132,508 shall be used for substance abuse prevention and
19 treatment.

20 (a) Of the funds allocated in this subparagraph (1),
21 \$899,300 shall be used for the public purpose of a grant
22 program to provide substance abuse prevention programming for
23 children.

24 (i) Of the funds allocated in this subparagraph division
25 (a), \$427,539 shall be used for grant funding for organizations
26 that provide programming for children by utilizing mentors.
27 Programs approved for such grants shall be certified or will
28 be certified within six months of receiving the grant award
29 by the Iowa commission on volunteer services as utilizing the
30 standards for effective practice for mentoring programs.

31 (ii) Of the funds allocated in this subparagraph division
32 (a), \$426,839 shall be used for grant funding for organizations
33 that provide programming that includes youth development and
34 leadership. The programs shall also be recognized as being
35 programs that are scientifically based with evidence of their

1 effectiveness in reducing substance abuse in children.

2 (iii) The department of public health shall utilize a
3 request for proposals process to implement the grant program.

4 (iv) All grant recipients shall participate in a program
5 evaluation as a requirement for receiving grant funds.

6 (v) Of the funds allocated in this subparagraph subpart
7 (a), up to \$44,922 may be used to administer substance abuse
8 prevention grants and for program evaluations.

9 (b) Of the funds allocated in this subparagraph (1),
10 \$273,062 shall be used for culturally competent substance abuse
11 treatment pilot projects.

12 (i) The department shall utilize the amount allocated in
13 this subparagraph subpart (b) for at least three pilot projects
14 to provide culturally competent substance abuse treatment in
15 various areas of the state. Each pilot project shall target
16 a particular ethnic minority population. The populations
17 targeted shall include but are not limited to African American,
18 Asian, and Latino.

19 (ii) The pilot project requirements shall provide for
20 documentation or other means to ensure access to the cultural
21 competence approach used by a pilot project so that such
22 approach can be replicated and improved upon in successor
23 programs.

24 (2) Of the funds allocated in this paragraph "b", up
25 to \$3,116,852 may be used for problem gambling prevention,
26 treatment, and recovery services.

27 (a) Of the funds allocated in this subparagraph (2),
28 \$2,579,000 shall be used for problem gambling prevention and
29 treatment.

30 (b) Of the funds allocated in this subparagraph (2), up to
31 \$437,852 may be used for a 24-hour helpline, public information
32 resources, professional training, and program evaluation.

33 (c) Of the funds allocated in this subparagraph (2), up
34 to \$100,000 may be used for the licensing of problem gambling
35 treatment programs.

1 (3) It is the intent of the general assembly that from the
2 moneys allocated in this paragraph "b", persons with a dual
3 diagnosis of substance abuse and gambling addictions shall be
4 given priority in treatment services.

5 c. Notwithstanding any provision of law to the contrary,
6 to standardize the availability, delivery, cost of delivery,
7 and accountability of problem gambling and substance abuse
8 treatment services statewide, the department shall continue
9 implementation of a process to create a system for delivery
10 of treatment services in accordance with the requirements
11 specified in 2008 Iowa Acts, chapter 1187, section 3,
12 subsection 4. To ensure the system provides a continuum of
13 treatment services that best meets the needs of Iowans, the
14 problem gambling and substance abuse treatment services in any
15 area may be provided either by a single agency or by separate
16 agencies submitting a joint proposal.

17 (1) The system for delivery of substance abuse and
18 problem gambling treatment shall include problem gambling
19 prevention by July 1, 2012. The department shall submit a
20 proposed legislative bill in accordance with section 2.16, for
21 consideration during the 2012 legislative session, addressing
22 any statutory revisions necessary for full implementation of
23 the system.

24 (2) The system for delivery of substance abuse and problem
25 gambling treatment shall include substance abuse prevention by
26 July 1, 2014.

27 (3) Of the funds allocated in paragraph "b", the department
28 may use up to \$100,000 for administrative costs to continue
29 developing and implementing the process in accordance with this
30 paragraph "c".

31 d. The requirement of section 123.53, subsection 5, is met
32 by the appropriations and allocations made in this Act for
33 purposes of substance abuse treatment and addictive disorders
34 for the fiscal year beginning July 1, 2011.

35 e. The department of public health shall work with all other

1 departments that fund substance abuse prevention and treatment
2 services and all such departments shall, to the extent
3 necessary, collectively meet the state maintenance of effort
4 requirements for expenditures for substance abuse services
5 as required under the federal substance abuse prevention and
6 treatment block grant.

7 f. The department shall amend or otherwise revise
8 departmental policies and contract provisions in order to
9 eliminate free t-shirt distribution, banner production, and
10 other unnecessary promotional expenditures.

11 2. HEALTHY CHILDREN AND FAMILIES

12 For promoting the optimum health status for children,
13 adolescents from birth through 21 years of age, and families,
14 and for not more than the following full-time equivalent
15 positions:

16	\$	2,601,905
17	FTEs	10.00

18 a. Of the funds appropriated in this subsection, not more
19 than \$739,318 shall be used for the healthy opportunities to
20 experience success (HOPES)-healthy families Iowa (HFI) program
21 established pursuant to section 135.106. The funding shall
22 be distributed to renew the grants that were provided to the
23 grantees that operated the program during the fiscal year
24 ending June 30, 2011.

25 b. Of the funds appropriated in this subsection, \$287,520
26 shall be used to continue to address the healthy mental
27 development of children from birth through five years of age
28 through local evidence-based strategies that engage both the
29 public and private sectors in promoting healthy development,
30 prevention, and treatment for children.

31 c. Of the funds appropriated in this subsection, \$31,597
32 shall be distributed to a statewide dental carrier to provide
33 funds to continue the donated dental services program patterned
34 after the projects developed by the dental lifeline network
35 to provide dental services to indigent elderly and disabled

1 individuals.

2 d. Of the funds appropriated in this subsection, \$112,677
3 shall be used for childhood obesity prevention.

4 e. Of the funds appropriated in this subsection, \$163,760
5 shall be used to provide audiological services and hearing
6 aids for children. The department may enter into a contract
7 to administer this paragraph.

8 f. Of the funds appropriated in this subsection, \$50,000
9 shall be used for a matching dental education loan repayment
10 program in conjunction with the primary care provider
11 recruitment and retention endeavor established in section
12 135.107. The department shall work with a dental nonprofit
13 health service corporation to develop the criteria for the loan
14 repayment program.

15 3. CHRONIC CONDITIONS

16 For serving individuals identified as having chronic
17 conditions or special health care needs, and for not more than
18 the following full-time equivalent positions:

19	\$	3,262,256
20	FTEs	4.00

21 a. Of the funds appropriated in this subsection, \$136,808
22 shall be used for grants to individual patients who have
23 phenylketonuria (PKU) to assist with the costs of necessary
24 special foods.

25 b. Of the funds appropriated in this subsection, \$383,600
26 is allocated for continuation of the contracts for resource
27 facilitator services in accordance with section 135.22B,
28 subsection 9, and for brain injury training services and
29 recruiting of service providers to increase the capacity within
30 this state to address the needs of individuals with brain
31 injuries and such individuals' families.

32 c. Of the funds appropriated in this subsection, \$468,874
33 shall be used as additional funding to leverage federal funding
34 through the federal Ryan White Care Act, Tit. II, AIDS drug
35 assistance program supplemental drug treatment grants.

1 d. Of the funds appropriated in this subsection, \$31,254
2 shall be used for the public purpose of providing a grant to an
3 existing national-affiliated organization to provide education,
4 client-centered programs, and client and family support for
5 people living with epilepsy and their families.

6 e. Of the funds appropriated in this subsection, \$755,791
7 shall be used for child health specialty clinics.

8 f. Of the funds appropriated in this subsection, \$711,052
9 shall be used for the comprehensive cancer control program to
10 reduce the burden of cancer in Iowa through prevention, early
11 detection, effective treatment, and ensuring quality of life.
12 Of the funds allocated in this lettered paragraph, \$363,987
13 shall be used to support a melanoma research symposium, a
14 melanoma biorepository and registry, basic and translational
15 melanoma research, and clinical trials.

16 g. Of the funds appropriated in this subsection, \$126,450
17 shall be used for cervical and colon cancer screening.

18 h. Of the funds appropriated in this subsection, \$421,782
19 shall be used for the center for congenital and inherited
20 disorders.

21 i. Of the funds appropriated in this subsection, \$129,937
22 shall be used for the prescription drug donation repository
23 program created in chapter 135M.

24 4. COMMUNITY CAPACITY

25 For strengthening the health care delivery system at the
26 local level, and for not more than the following full-time
27 equivalent positions:

28	\$	3,677,659
29	FTEs	14.00

30 a. Of the funds appropriated in this subsection, \$100,000
31 is allocated for a child vision screening program implemented
32 through the university of Iowa hospitals and clinics in
33 collaboration with early childhood Iowa areas.

34 b. Of the funds appropriated in this subsection, \$111,308 is
35 allocated for continuation of an initiative implemented at the

1 university of Iowa and \$100,493 is allocated for continuation
2 of an initiative at the state mental health institute at
3 Cherokee to expand and improve the workforce engaged in
4 mental health treatment and services. The initiatives shall
5 receive input from the university of Iowa, the department
6 of human services, the department of public health, and the
7 mental health, mental retardation, developmental disabilities,
8 and brain injury commission to address the focus of the
9 initiatives.

10 c. Of the funds appropriated in this subsection, \$1,171,491
11 shall be used for essential public health services that promote
12 healthy aging throughout the lifespan, contracted through a
13 formula for local boards of health, to enhance health promotion
14 and disease prevention services.

15 d. Of the funds appropriated in this section, \$121,817 shall
16 be deposited in the governmental public health system fund
17 created in section 135A.8 to be used for the purposes of the
18 fund.

19 e. Of the funds appropriated in this subsection, \$106,279
20 shall be used for the mental health professional shortage area
21 program implemented pursuant to section 135.80.

22 f. Of the funds appropriated in this subsection,
23 \$38,263 shall be used for a grant to a statewide association
24 of psychologists that is affiliated with the American
25 psychological association to be used for continuation of a
26 program to rotate intern psychologists in placements in urban
27 and rural mental health professional shortage areas, as defined
28 in section 135.80.

29 g. Of the funds appropriated in this subsection, the
30 following amounts shall be allocated to the Iowa collaborative
31 safety net provider network established pursuant to section
32 135.153 to be used for the purposes designated:

33 (1) For distribution to the Iowa-Nebraska primary
34 care association for statewide coordination of the Iowa
35 collaborative safety net provider network:

1 \$ 116,597
2 (2) For distribution to the local boards of health that
3 provide direct services for pilot programs in three counties to
4 assist patients in determining an appropriate medical home:
5 \$ 68,332
6 (3) For distribution to maternal and child health centers
7 for pilot programs in three counties to assist patients in
8 determining an appropriate medical home:
9 \$ 68,332
10 (4) For distribution to free clinics for necessary
11 infrastructure, statewide coordination, provider recruitment,
12 service delivery, and provision of assistance to patients in
13 determining an appropriate medical home:
14 \$ 113,754
15 (5) For distribution to rural health clinics for necessary
16 infrastructure, statewide coordination, provider recruitment,
17 service delivery, and provision of assistance to patients in
18 determining an appropriate medical home:
19 \$ 101,264
20 (6) For continuation of the safety net provider patient
21 access to specialty health care initiative as described in 2007
22 Iowa Acts, chapter 218, section 109:
23 \$ 238,420
24 (7) For continuation of the pharmaceutical infrastructure
25 for safety net providers as described in 2007 Iowa Acts,
26 chapter 218, section 108:
27 \$ 247,590
28 The Iowa collaborative safety net provider network may
29 continue to distribute funds allocated pursuant to this
30 lettered paragraph through existing contracts or renewal of
31 existing contracts.
32 h. The department shall utilize funds received through
33 the grant by the United States department of health and human
34 services, health resources and services administration to
35 develop and pilot a training and credentialing model for direct

1 care professionals, to the extent allowable, to continue
2 implementation of the recommendations of the direct care worker
3 task force established pursuant to 2005 Iowa Acts, chapter 88,
4 based upon the report submitted to the governor and the general
5 assembly in December 2006.

6 i. The department may utilize one of the full-time
7 equivalent positions authorized in this subsection for
8 administration of the activities related to the Iowa
9 collaborative safety net provider network.

10 j. Of the funds appropriated in this subsection, the
11 department may use up to \$60,000 for up to one full-time
12 equivalent position to administer the volunteer health care
13 provider program pursuant to section 135.24.

14 5. HEALTHY AGING

15 To provide public health services that reduce risks and
16 invest in promoting and protecting good health over the
17 course of a lifetime with a priority given to older Iowans and
18 vulnerable populations:

19 \$ 7,297,142

20 a. Of the funds appropriated in this subsection, \$2,009,187
21 shall be used for local public health nursing services.

22 b. Of the funds appropriated in this subsection, \$5,287,955
23 shall be used for home care aide services.

24 6. ENVIRONMENTAL HAZARDS

25 For reducing the public's exposure to hazards in the
26 environment, primarily chemical hazards, and for not more than
27 the following full-time equivalent positions:

28 \$ 813,777

29 FTEs 4.00

30 Of the funds appropriated in this subsection, \$544,377 shall
31 be used for childhood lead poisoning provisions.

32 7. INFECTIOUS DISEASES

33 For reducing the incidence and prevalence of communicable
34 diseases, and for not more than the following full-time
35 equivalent positions:

1 \$ 1,345,847
2 FTEs 4.00

3 8. PUBLIC PROTECTION

4 For protecting the health and safety of the public through
5 establishing standards and enforcing regulations, and for not
6 more than the following full-time equivalent positions:

7 \$ 2,906,532
8 FTEs 125.00

9 a. Of the funds appropriated in this subsection, not more
10 than \$424,146 shall be credited to the emergency medical
11 services fund created in section 135.25. Moneys in the
12 emergency medical services fund are appropriated to the
13 department to be used for the purposes of the fund.

14 b. Of the funds appropriated in this subsection, \$210,619
15 shall be used for sexual violence prevention programming
16 through a statewide organization representing programs serving
17 victims of sexual violence through the department's sexual
18 violence prevention program. The amount allocated in this
19 lettered paragraph shall not be used to supplant funding
20 administered for other sexual violence prevention or victims
21 assistance programs.

22 c. Of the funds appropriated in this subsection, not more
23 than \$436,582 shall be used for the state poison control
24 center.

25 d. If 2011 Iowa Acts, House File 658 or successor
26 legislation, is enacted, the department of public health shall
27 transfer \$177,844 to the department of agriculture and land
28 stewardship for the purposes of performing functions pursuant
29 to section 192.109, as amended by House File 658 or successor
30 legislation.

31 9. RESOURCE MANAGEMENT

32 For establishing and sustaining the overall ability of the
33 department to deliver services to the public, and for not more
34 than the following full-time equivalent positions:

35 \$ 819,554

1 FTEs 7.00

2 The university of Iowa hospitals and clinics under the
3 control of the state board of regents shall not receive
4 indirect costs from the funds appropriated in this section.
5 The university of Iowa hospitals and clinics billings to the
6 department shall be on at least a quarterly basis.

7 DIVISION III

8 DEPARTMENT OF VETERANS AFFAIRS — FY 2011-2012

9 Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is
10 appropriated from the general fund of the state to the
11 department of veterans affairs for the fiscal year beginning
12 July 1, 2011, and ending June 30, 2012, the following amounts,
13 or so much thereof as is necessary, to be used for the purposes
14 designated:

15 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

16 For salaries, support, maintenance, and miscellaneous
17 purposes, including the war orphans educational assistance fund
18 created in section 35.8, and for not more than the following
19 full-time equivalent positions:

20 \$ 998,832
21 FTEs 16.34

22 2. IOWA VETERANS HOME

23 For salaries, support, maintenance, and miscellaneous
24 purposes:

25 \$ 8,952,151

26 a. The Iowa veterans home billings involving the department
27 of human services shall be submitted to the department on at
28 least a monthly basis.

29 b. If there is a change in the employer of employees
30 providing services at the Iowa veterans home under a collective
31 bargaining agreement, such employees and the agreement shall
32 be continued by the successor employer as though there had not
33 been a change in employer.

34 c. Within available resources and in conformance with
35 associated state and federal program eligibility requirements,

1 the Iowa veterans home may implement measures to provide
2 financial assistance to or on behalf of veterans or their
3 spouses participating in the community reentry program.

4 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED
5 VETERANS

6 For provision of educational assistance pursuant to section
7 35.9:

8 \$ 12,416

9 Sec. 4. LIMITATION OF COUNTY COMMISSION OF VETERANS AFFAIRS
10 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
11 appropriation in the following designated section for the
12 fiscal year beginning July 1, 2011, and ending June 30, 2012,
13 the amounts appropriated from the general fund of the state
14 pursuant to that section for the following designated purposes
15 shall not exceed the following amount:

16 For the county commissions of veterans affairs fund under
17 section 35A.16:

18 \$ 990,000

19 DIVISION IV

20 DEPARTMENT OF HUMAN SERVICES — FY 2011-2012

21 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
22 GRANT. There is appropriated from the fund created in section
23 8.41 to the department of human services for the fiscal year
24 beginning July 1, 2011, and ending June 30, 2012, from moneys
25 received under the federal temporary assistance for needy
26 families (TANF) block grant pursuant to the federal Personal
27 Responsibility and Work Opportunity Reconciliation Act of 1996,
28 Pub. L. No. 104-193, and successor legislation, and from moneys
29 received under the emergency contingency fund for temporary
30 assistance for needy families state program established
31 pursuant to the federal American Recovery and Reinvestment Act
32 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
33 the following amounts, or so much thereof as is necessary, to
34 be used for the purposes designated:

35 1. To be credited to the family investment program account

1 and used for assistance under the family investment program
2 under chapter 239B:

3 \$ 21,500,738

4 2. To be credited to the family investment program account
5 and used for the job opportunities and basic skills (JOBS)
6 program and implementing family investment agreements in
7 accordance with chapter 239B:

8 \$ 12,411,528

9 3. To be used for the family development and
10 self-sufficiency grant program in accordance with section
11 216A.107:

12 \$ 2,898,980

13 Notwithstanding section 8.33, moneys appropriated in this
14 subsection that remain unencumbered or unobligated at the close
15 of the fiscal year shall not revert but shall remain available
16 for expenditure for the purposes designated until the close of
17 the succeeding fiscal year. However, unless such moneys are
18 encumbered or obligated on or before September 30, 2012, the
19 moneys shall revert.

20 4. For field operations:

21 \$ 31,296,232

22 5. For general administration:

23 \$ 3,744,000

24 6. For state child care assistance:

25 \$ 16,382,687

26 The funds appropriated in this subsection shall be
27 transferred to the child care and development block grant
28 appropriation made by the Eighty-fourth General Assembly, 2011
29 Session, for the federal fiscal year beginning October 1,
30 2011, and ending September 30, 2012. Of this amount, \$200,000
31 shall be used for provision of educational opportunities to
32 registered child care home providers in order to improve
33 services and programs offered by this category of providers
34 and to increase the number of providers. The department may
35 contract with institutions of higher education or child care

1 resource and referral centers to provide the educational
2 opportunities. Allowable administrative costs under the
3 contracts shall not exceed 5 percent. The application for a
4 grant shall not exceed two pages in length.

5 7. For mental health and developmental disabilities
6 community services:

7 \$ 4,894,052

8 8. For child and family services:

9 \$ 32,084,430

10 9. For child abuse prevention grants:

11 \$ 125,000

12 10. For pregnancy prevention grants on the condition that
13 family planning services are funded:

14 \$ 1,930,067

15 Pregnancy prevention grants shall be awarded to pregnancy
16 prevention programs that are based on existing models that
17 have demonstrated positive outcomes. Grants shall comply with
18 the requirements provided in 1997 Iowa Acts, chapter 208,
19 section 14, subsections 1 and 2, including the requirement that
20 grant programs must emphasize sexual abstinence. Priority in
21 the awarding of grants shall be given to programs that serve
22 areas of the state which demonstrate the highest percentage of
23 unplanned pregnancies of females of childbearing age within the
24 geographic area to be served by the grant.

25 11. For technology needs and other resources necessary
26 to meet federal welfare reform reporting, tracking, and case
27 management requirements:

28 \$ 1,037,186

29 12. To be credited to the state child care assistance
30 appropriation made in this section to be used for funding of
31 community-based early childhood programs targeted to children
32 from birth through five years of age developed by early
33 childhood Iowa areas as provided in section 256I.11:

34 \$ 6,350,000

35 The department shall transfer TANF block grant funding

1 appropriated and allocated in this subsection to the child care
2 and development block grant appropriation in accordance with
3 federal law as necessary to comply with the provisions of this
4 subsection.

5 13. a. Notwithstanding any provision to the contrary,
6 including but not limited to requirements in section 8.41
7 or provisions in 2010 Iowa Acts regarding the receipt and
8 appropriation of federal block grants, federal funds from the
9 emergency contingency fund for temporary assistance for needy
10 families state program established pursuant to the federal
11 American Recovery and Reinvestment Act of 2009, Pub. L. No.
12 111-5 § 2101, received by the state during the fiscal year
13 beginning July 1, 2010, and ending June 30, 2011, not otherwise
14 appropriated in this section and remaining available as of
15 July 1, 2011, and received by the state during the fiscal
16 year beginning July 1, 2011, and ending June 30, 2012, are
17 appropriated to the extent as may be necessary to be used in
18 the following priority order: the family investment program
19 for the fiscal year and for state child care assistance program
20 payments for individuals enrolled in the family investment
21 program who are employed. The federal funds appropriated in
22 this paragraph "a" shall be expended only after all other
23 funds appropriated in subsection 1 for the assistance under
24 the family investment program under chapter 239B have been
25 expended.

26 b. The department shall, on a quarterly basis, advise the
27 legislative services agency and department of management of
28 the amount of funds appropriated in this subsection that was
29 expended in the prior quarter.

30 14. Of the amounts appropriated in this section,
31 \$12,962,008 for the fiscal year beginning July 1, 2011, shall
32 be transferred to the appropriation of the federal social
33 services block grant made for that fiscal year.

34 15. For continuation of the program allowing the department
35 to maintain categorical eligibility for the food assistance

1 program as required under the section of this division relating
2 to the family investment account:

3 \$ 146,072

4 16. The department may transfer funds allocated in this
5 section to the appropriations made in this Act for general
6 administration and field operations for resources necessary to
7 implement and operate the services referred to in this section
8 and those funded in the appropriation made in this division of
9 this Act for the family investment program from the general
10 fund of the state.

11 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

12 1. Moneys credited to the family investment program (FIP)
13 account for the fiscal year beginning July 1, 2011, and
14 ending June 30, 2012, shall be used to provide assistance in
15 accordance with chapter 239B.

16 2. The department may use a portion of the moneys credited
17 to the FIP account under this section as necessary for
18 salaries, support, maintenance, and miscellaneous purposes.

19 3. The department may transfer funds allocated in
20 this section to the appropriations in this Act for general
21 administration and field operations for resources necessary to
22 implement and operate the services referred to in this section
23 and those funded in the appropriation made in this division of
24 this Act for the family investment program from the general
25 fund of the state.

26 4. Moneys appropriated in this division of this Act and
27 credited to the FIP account for the fiscal year beginning July
28 1, 2011, and ending June 30, 2012, are allocated as follows:

29 a. To be retained by the department of human services to
30 be used for coordinating with the department of human rights
31 to more effectively serve participants in the FIP program and
32 other shared clients and to meet federal reporting requirements
33 under the federal temporary assistance for needy families block
34 grant:

35 \$ 20,000

1 b. To the department of human rights for staffing,
2 administration, and implementation of the family development
3 and self-sufficiency grant program in accordance with section
4 216A.107:

5 \$ 5,342,834

6 (1) Of the funds allocated for the family development and
7 self-sufficiency grant program in this lettered paragraph,
8 not more than 5 percent of the funds shall be used for the
9 administration of the grant program.

10 (2) The department of human rights may continue to implement
11 the family development and self-sufficiency grant program
12 statewide during fiscal year 2011-2012.

13 c. For the diversion subaccount of the FIP account:

14 \$ 1,698,400

15 A portion of the moneys allocated for the subaccount may
16 be used for field operations salaries, data management system
17 development, and implementation costs and support deemed
18 necessary by the director of human services in order to
19 administer the FIP diversion program.

20 d. For the food stamp employment and training program:

21 \$ 66,588

22 (1) The department shall amend the food stamp employment and
23 training state plan in order to maximize to the fullest extent
24 permitted by federal law the use of the 50-50 match provisions
25 for the claiming of allowable federal matching funds from the
26 United States department of agriculture pursuant to the federal
27 food stamp employment and training program for providing
28 education, employment, and training services for eligible food
29 assistance program participants, including but not limited to
30 related dependent care and transportation expenses.

31 (2) The department shall continue the categorical federal
32 food assistance program eligibility at 160 percent of the
33 federal poverty level and continue to eliminate the asset test
34 from eligibility requirements, consistent with federal food
35 assistance program requirements. The department shall include

1 as many food assistance households as is allowed by federal
2 law. The eligibility provisions shall conform to all federal
3 requirements including requirements addressing individuals who
4 are incarcerated or otherwise ineligible.

5 e. For the JOBS program:

6 \$ 20,235,905

7 5. Of the child support collections assigned under FIP,
8 an amount equal to the federal share of support collections
9 shall be credited to the child support recovery appropriation
10 made in this division of this Act. Of the remainder of the
11 assigned child support collections received by the child
12 support recovery unit, a portion shall be credited to the FIP
13 account, a portion may be used to increase recoveries, and a
14 portion may be used to sustain cash flow in the child support
15 payments account. If as a consequence of the appropriations
16 and allocations made in this section the resulting amounts
17 are insufficient to sustain cash assistance payments and meet
18 federal maintenance of effort requirements, the department
19 shall seek supplemental funding. If child support collections
20 assigned under FIP are greater than estimated or are otherwise
21 determined not to be required for maintenance of effort, the
22 state share of either amount may be transferred to or retained
23 in the child support payment account.

24 6. The department may adopt emergency rules for the family
25 investment, JOBS, food stamp, and medical assistance programs
26 if necessary to comply with federal requirements.

27 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
28 is appropriated from the general fund of the state to the
29 department of human services for the fiscal year beginning July
30 1, 2011, and ending June 30, 2012, the following amount, or
31 so much thereof as is necessary, to be used for the purpose
32 designated:

33 To be credited to the family investment program (FIP)
34 account and used for family investment program assistance under
35 chapter 239B:

1 \$ 50,421,027

2 1. Of the funds appropriated in this section, \$7,824,377 is
3 allocated for the JOBS program.

4 2. Of the funds appropriated in this section, \$2,463,854 is
5 allocated for the family development and self-sufficiency grant
6 program.

7 3. Notwithstanding section 8.39, for the fiscal year
8 beginning July 1, 2011, if necessary to meet federal
9 maintenance of effort requirements or to transfer federal
10 temporary assistance for needy families block grant funding
11 to be used for purposes of the federal social services block
12 grant or to meet cash flow needs resulting from delays in
13 receiving federal funding or to implement, in accordance with
14 this division of this Act, activities currently funded with
15 juvenile court services, county, or community moneys and state
16 moneys used in combination with such moneys, the department
17 of human services may transfer funds within or between any
18 of the appropriations made in this division of this Act and
19 appropriations in law for the federal social services block
20 grant to the department for the following purposes, provided
21 that the combined amount of state and federal temporary
22 assistance for needy families block grant funding for each
23 appropriation remains the same before and after the transfer:

- 24 a. For the family investment program.
- 25 b. For child care assistance.
- 26 c. For child and family services.
- 27 d. For field operations.
- 28 e. For general administration.
- 29 f. MH/MR/DD/BI community services (local purchase).

30 This subsection shall not be construed to prohibit the use
31 of existing state transfer authority for other purposes. The
32 department shall report any transfers made pursuant to this
33 subsection to the legislative services agency.

34 4. Of the funds appropriated in this section, \$195,678 shall
35 be used for continuation of a grant to an Iowa-based nonprofit

1 organization with a history of providing tax preparation
2 assistance to low-income Iowans in order to expand the usage of
3 the earned income tax credit. The purpose of the grant is to
4 supply this assistance to underserved areas of the state.

5 Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated
6 from the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2011, and ending
8 June 30, 2012, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:

10 For child support recovery, including salaries, support,
11 maintenance, and miscellaneous purposes, and for not more than
12 the following full-time equivalent positions:

13	\$ 13,119,255
14	FTEs 475.00

15 1. The department shall expend up to \$24,329, including
16 federal financial participation, for the fiscal year beginning
17 July 1, 2011, for a child support public awareness campaign.
18 The department and the office of the attorney general shall
19 cooperate in continuation of the campaign. The public
20 awareness campaign shall emphasize, through a variety of
21 media activities, the importance of maximum involvement of
22 both parents in the lives of their children as well as the
23 importance of payment of child support obligations.

24 2. Federal access and visitation grant moneys shall be
25 issued directly to private not-for-profit agencies that provide
26 services designed to increase compliance with the child access
27 provisions of court orders, including but not limited to
28 neutral visitation sites and mediation services.

29 3. The appropriation made to the department for child
30 support recovery may be used throughout the fiscal year in the
31 manner necessary for purposes of cash flow management, and for
32 cash flow management purposes the department may temporarily
33 draw more than the amount appropriated, provided the amount
34 appropriated is not exceeded at the close of the fiscal year.

35 4. With the exception of the funding amount specified, the

1 requirements established under 2001 Iowa Acts, chapter 191,
2 section 3, subsection 5, paragraph "c", subparagraph (3), shall
3 be applicable to parental obligation pilot projects for the
4 fiscal year beginning July 1, 2011, and ending June 30, 2012.
5 Notwithstanding 441 IAC 100.8, providing for termination of
6 rules relating to the pilot projects, the rules shall remain
7 in effect until June 30, 2012.

8 Sec. 9. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any
9 funds remaining in the health care trust fund created in
10 section 453A.35A for the fiscal year beginning July 1, 2011,
11 and ending June 30, 2012, are appropriated to the department
12 of human services to supplement the medical assistance program
13 appropriations made in this Act, for medical assistance
14 reimbursement and associated costs, including program
15 administration and costs associated with implementation.

16 Sec. 10. MEDICAL ASSISTANCE. There is appropriated from the
17 general fund of the state to the department of human services
18 for the fiscal year beginning July 1, 2011, and ending June 30,
19 2012, the following amount, or so much thereof as is necessary,
20 to be used for the purpose designated:

21 For medical assistance reimbursement and associated costs
22 as specifically provided in the reimbursement methodologies
23 in effect on June 30, 2011, except as otherwise expressly
24 authorized by law, including reimbursement for abortion
25 services which shall be available under the medical assistance
26 program only for those abortions which are medically necessary:
27 \$897,237,190

28 1. Medically necessary abortions are those performed under
29 any of the following conditions:

30 a. The attending physician certifies that continuing the
31 pregnancy would endanger the life of the pregnant woman.

32 b. Any spontaneous abortion, commonly known as a
33 miscarriage, if not all of the products of conception are
34 expelled.

35 2. The department shall utilize not more than \$60,000 of

1 the funds appropriated in this section to continue the AIDS/HIV
2 health insurance premium payment program as established in 1992
3 Iowa Acts, Second Extraordinary Session, chapter 1001, section
4 409, subsection 6. Of the funds allocated in this subsection,
5 not more than \$5,000 may be expended for administrative
6 purposes.

7 3. Of the funds appropriated in this Act to the department
8 of public health for addictive disorders, \$950,000 for the
9 fiscal year beginning July 1, 2011, shall be transferred to
10 the department of human services for an integrated substance
11 abuse managed care system. The department shall not assume
12 management of the substance abuse system in place of the
13 managed care contractor unless such a change in approach is
14 specifically authorized in law. The departments of human
15 services and public health shall work together to maintain
16 the level of mental health and substance abuse services
17 provided by the managed care contractor through the Iowa plan
18 for behavioral health. Each department shall take the steps
19 necessary to continue the federal waivers as necessary to
20 maintain the level of services.

21 4. a. The department shall aggressively pursue options for
22 providing medical assistance or other assistance to individuals
23 with special needs who become ineligible to continue receiving
24 services under the early and periodic screening, diagnostic,
25 and treatment program under the medical assistance program
26 due to becoming 21 years of age who have been approved for
27 additional assistance through the department's exception to
28 policy provisions, but who have health care needs in excess
29 of the funding available through the exception to policy
30 provisions.

31 b. Of the funds appropriated in this section, \$100,000
32 shall be used for participation in one or more pilot projects
33 operated by a private provider to allow the individual or
34 individuals to receive service in the community in accordance
35 with principles established in *Olmstead v. L.C.*, 527 U.S. 581

1 (1999), for the purpose of providing medical assistance or
2 other assistance to individuals with special needs who become
3 ineligible to continue receiving services under the early and
4 periodic screening, diagnosis, and treatment program under
5 the medical assistance program due to becoming 21 years of
6 age who have been approved for additional assistance through
7 the department's exception to policy provisions, but who have
8 health care needs in excess of the funding available through
9 the exception to the policy provisions.

10 5. Of the funds appropriated in this section, up to
11 \$3,050,082 may be transferred to the field operations
12 or general administration appropriations in this Act for
13 operational costs associated with Part D of the federal
14 Medicare Prescription Drug Improvement and Modernization Act
15 of 2003, Pub. L. No. 108-173.

16 6. Of the funds appropriated in this section, up to \$442,100
17 may be transferred to the appropriation in this Act for medical
18 contracts to be used for clinical assessment services and prior
19 authorization of services.

20 7. A portion of the funds appropriated in this section
21 may be transferred to the appropriations in this division of
22 this Act for general administration, medical contracts, the
23 children's health insurance program, or field operations to be
24 used for the state match cost to comply with the payment error
25 rate measurement (PERM) program for both the medical assistance
26 and children's health insurance programs as developed by the
27 centers for Medicare and Medicaid services of the United States
28 department of health and human services to comply with the
29 federal Improper Payments Information Act of 2002, Pub. L. No.
30 107-300.

31 8. It is the intent of the general assembly that the
32 department continue to implement the recommendations of
33 the assuring better child health and development initiative
34 II (ABCDII) clinical panel to the Iowa early and periodic
35 screening, diagnostic, and treatment services healthy mental

1 development collaborative board regarding changes to billing
2 procedures, codes, and eligible service providers.

3 9. Of the funds appropriated in this section, a sufficient
4 amount is allocated to supplement the incomes of residents of
5 nursing facilities, intermediate care facilities for persons
6 with mental illness, and intermediate care facilities for
7 persons with mental retardation, with incomes of less than \$50
8 in the amount necessary for the residents to receive a personal
9 needs allowance of \$50 per month pursuant to section 249A.30A.

10 10. Of the funds appropriated in this section, the following
11 amounts shall be transferred to the appropriations made in this
12 division of this Act for the state mental health institutes:

- 13 a. Cherokee mental health institute \$ 9,098,425
- 14 b. Clarinda mental health institute \$ 1,977,305
- 15 c. Independence mental health institute \$ 9,045,894
- 16 d. Mount Pleasant mental health institute \$ 5,752,587

17 11. a. Of the funds appropriated in this section,
18 \$7,425,684 is allocated for the state match for a
19 disproportionate share hospital payment of \$19,133,430 to
20 hospitals that meet both of the conditions specified in
21 subparagraphs (1) and (2). In addition, the hospitals that
22 meet the conditions specified shall either certify public
23 expenditures or transfer to the medical assistance program
24 an amount equal to provide the nonfederal share for a
25 disproportionate share hospital payment of \$7,500,000. The
26 hospitals that meet the conditions specified shall receive and
27 retain 100 percent of the total disproportionate share hospital
28 payment of \$26,633,430.

29 (1) The hospital qualifies for disproportionate share and
30 graduate medical education payments.

31 (2) The hospital is an Iowa state-owned hospital with more
32 than 500 beds and eight or more distinct residency specialty
33 or subspecialty programs recognized by the American college of
34 graduate medical education.

35 b. Distribution of the disproportionate share payments

1 shall be made on a monthly basis. The total amount of
2 disproportionate share payments including graduate medical
3 education, enhanced disproportionate share, and Iowa
4 state-owned teaching hospital payments shall not exceed the
5 amount of the state's allotment under Pub. L. No. 102-234.
6 In addition, the total amount of all disproportionate
7 share payments shall not exceed the hospital-specific
8 disproportionate share limits under Pub. L. No. 103-66.

9 12. The university of Iowa hospitals and clinics shall
10 either certify public expenditures or transfer to the medical
11 assistance appropriation an amount equal to provide the
12 nonfederal share for increased medical assistance payments for
13 inpatient and outpatient hospital services of \$9,900,000. The
14 university of Iowa hospitals and clinics shall receive and
15 retain 100 percent of the total increase in medical assistance
16 payments.

17 13. Of the funds appropriated in this section, up to
18 \$4,480,304 may be transferred to the IowaCare account created
19 in section 249J.24.

20 14. Of the funds appropriated in this section, \$200,000
21 shall be used for the Iowa chronic care consortium pursuant to
22 2003 Iowa Acts, chapter 112, section 12, as amended by 2003
23 Iowa Acts, chapter 179, sections 166 and 167.

24 15. One hundred percent of the nonfederal share of payments
25 to area education agencies that are medical assistance
26 providers for medical assistance-covered services provided to
27 medical assistance-covered children, shall be made from the
28 appropriation made in this section.

29 16. Any new or renewed contract entered into by the
30 department with a third party to administer behavioral health
31 services under the medical assistance program shall provide
32 that any interest earned on payments from the state during
33 the state fiscal year shall be remitted to the department
34 and treated as recoveries to offset the costs of the medical
35 assistance program.

1 17. The department shall continue to implement the
2 provisions in 2007 Iowa Acts, chapter 218, section 124 and
3 section 126, as amended by 2008 Iowa Acts, chapter 1188,
4 section 55, relating to eligibility for certain persons with
5 disabilities under the medical assistance program in accordance
6 with the federal family opportunity Act.

7 18. A portion of the funds appropriated in this section
8 may be transferred to the appropriation in this division of
9 this Act for medical contracts to be used for administrative
10 activities associated with the money follows the person
11 demonstration project.

12 19. Of the funds appropriated in this section, \$349,011
13 shall be used for the administration of the health insurance
14 premium payment program, including salaries, support,
15 maintenance, and miscellaneous purposes for the fiscal year
16 beginning July 1, 2011.

17 20. a. The department may increase the amounts allocated
18 for salaries, support, maintenance, and miscellaneous purposes
19 associated with the medical assistance program as necessary
20 to implement cost containment efforts in order to accomplish
21 medical assistance program savings. The department shall
22 report any such increase to the legislative services agency and
23 department of management.

24 b. If the savings to the medical assistance program exceed
25 the cost, the department may transfer any savings generated
26 for the fiscal year due to medical assistance program cost
27 containment efforts initiated pursuant to 2010 Iowa Acts,
28 chapter 1031, Executive Order No. 20, issued December 16,
29 2009, or cost containment efforts initiated by the department
30 during fiscal year 2011-2012, to the appropriation made in
31 this division of this Act for medical contracts or general
32 administration to defray the increased contract costs
33 associated with implementing such efforts.

34 21. The department may implement cost containment
35 strategies recommended by the governor by using a sole

1 source contract process or by expanding an existing contract
2 without using a competitive process. The department may adopt
3 emergency rules to implement the cost containment strategies
4 recommended by the governor.

5 22. The department shall report the implementation of
6 any cost containment strategies under this section to the
7 individuals specified in this Act to receive reports on a
8 quarterly basis.

9 23. Notwithstanding any provision of law to the contrary,
10 the department of human services shall amend the section
11 1915(b) waiver and Iowa plan contract to include remedial
12 services under the Iowa plan contract effective July 1, 2011.

13 Sec. 11. MEDICAL CONTRACTS. There is appropriated from the
14 general fund of the state to the department of human services
15 for the fiscal year beginning July 1, 2011, and ending June 30,
16 2012, the following amount, or so much thereof as is necessary,
17 to be used for the purpose designated:

18 For medical contracts:

19 \$ 5,773,844

20 The department of inspections and appeals shall provide all
21 state matching funds for survey and certification activities
22 performed by the department of inspections and appeals.

23 The department of human services is solely responsible for
24 distributing the federal matching funds for such activities.

25 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.

26 1. There is appropriated from the general fund of the
27 state to the department of human services for the fiscal year
28 beginning July 1, 2011, and ending June 30, 2012, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purpose designated:

31 For the state supplementary assistance program:

32 \$ 16,850,747

33 2. The department shall increase the personal needs
34 allowance for residents of residential care facilities by the
35 same percentage and at the same time as federal supplemental

1 security income and federal social security benefits are
2 increased due to a recognized increase in the cost of living.
3 The department may adopt emergency rules to implement this
4 subsection.

5 3. If during the fiscal year beginning July 1, 2011,
6 the department projects that state supplementary assistance
7 expenditures for a calendar year will not meet the federal
8 pass-through requirement specified in Tit. XVI of the federal
9 Social Security Act, section 1618, as codified in 42 U.S.C.
10 § 1382g, the department may take actions including but not
11 limited to increasing the personal needs allowance for
12 residential care facility residents and making programmatic
13 adjustments or upward adjustments of the residential care
14 facility or in-home health-related care reimbursement rates
15 prescribed in this division of this Act to ensure that federal
16 requirements are met. In addition, the department may make
17 other programmatic and rate adjustments necessary to remain
18 within the amount appropriated in this section while ensuring
19 compliance with federal requirements. The department may adopt
20 emergency rules to implement the provisions of this subsection.

21 Sec. 13. CHILDREN'S HEALTH INSURANCE PROGRAM.

22 There is appropriated from the general fund of the state to
23 the department of human services for the fiscal year beginning
24 July 1, 2011, and ending June 30, 2012, the following amount,
25 or so much thereof as is necessary, to be used for the purpose
26 designated:

27 For maintenance of the healthy and well kids in Iowa (hawk-i)
28 program pursuant to chapter 514I, including supplemental dental
29 services, for receipt of federal financial participation under
30 Tit. XXI of the federal Social Security Act, which creates the
31 children's health insurance program:

32 \$ 32,927,152

33 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated
34 from the general fund of the state to the department of human
35 services for the fiscal year beginning July 1, 2011, and ending

1 June 30, 2012, the following amount, or so much thereof as is
2 necessary, to be used for the purpose designated:

3 For child care programs:

4 \$ 51,237,662

5 1. Of the funds appropriated in this section, \$49,868,235
6 shall be used for state child care assistance in accordance
7 with section 237A.13.

8 2. Nothing in this section shall be construed or is
9 intended as or shall imply a grant of entitlement for services
10 to persons who are eligible for assistance due to an income
11 level consistent with the waiting list requirements of section
12 237A.13. Any state obligation to provide services pursuant to
13 this section is limited to the extent of the funds appropriated
14 in this section.

15 3. Of the funds appropriated in this section, \$432,453 is
16 allocated for the statewide program for child care resource
17 and referral services under section 237A.26. A list of the
18 registered and licensed child care facilities operating in the
19 area served by a child care resource and referral service shall
20 be made available to the families receiving state child care
21 assistance in that area.

22 4. Of the funds appropriated in this section, \$936,974
23 is allocated for child care quality improvement initiatives
24 including but not limited to the voluntary quality rating
25 system in accordance with section 237.30. The amount of
26 funding designated for meeting the federal requirement to
27 expend at least 4 percent of the federal child care and
28 development fund moneys on activities to improve the quality
29 of child care shall be reduced by \$2,000,000 from the amount
30 designated for such activities in the prior fiscal year.

31 5. The department may use any of the funds appropriated
32 in this section as a match to obtain federal funds for use in
33 expanding child care assistance and related programs. For
34 the purpose of expenditures of state and federal child care
35 funding, funds shall be considered obligated at the time

1 expenditures are projected or are allocated to the department's
2 service areas. Projections shall be based on current and
3 projected caseload growth, current and projected provider
4 rates, staffing requirements for eligibility determination
5 and management of program requirements including data systems
6 management, staffing requirements for administration of the
7 program, contractual and grant obligations and any transfers
8 to other state agencies, and obligations for decategorization
9 or innovation projects.

10 6. A portion of the state match for the federal child care
11 and development block grant shall be provided as necessary to
12 meet federal matching funds requirements through the state
13 general fund appropriation made for child development grants
14 and other programs for at-risk children in section 279.51.

15 7. If a uniform reduction ordered by the governor under
16 section 8.31 or other operation of law, transfer, or federal
17 funding reduction reduces the appropriation made in this
18 section for the fiscal year, the percentage reduction in the
19 amount paid out to or on behalf of the families participating
20 in the state child care assistance program shall be equal to or
21 less than the percentage reduction made for any other purpose
22 payable from the appropriation made in this section and the
23 federal funding relating to it. The percentage reduction to
24 the other allocations made in this section shall be the same as
25 the uniform reduction ordered by the governor or the percentage
26 change of the federal funding reduction, as applicable.

27 If there is an unanticipated increase in federal funding
28 provided for state child care assistance, the entire amount
29 of the increase shall be used for state child care assistance
30 payments. If the appropriations made for purposes of the
31 state child care assistance program for the fiscal year are
32 determined to be insufficient, it is the intent of the general
33 assembly to appropriate sufficient funding for the fiscal year
34 in order to avoid establishment of waiting list requirements.

35 8. Notwithstanding section 8.33, moneys appropriated in

1 this section or received from the federal appropriations made
2 for the purposes of this section that remain unencumbered or
3 unobligated at the close of the fiscal year shall not revert
4 to any fund but shall remain available for expenditure for the
5 purposes designated until the close of the succeeding fiscal
6 year.

7 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated
8 from the general fund of the state to the department of human
9 services for the fiscal year beginning July 1, 2011, and ending
10 June 30, 2012, the following amounts, or so much thereof as is
11 necessary, to be used for the purposes designated:

12 1. For operation of the Iowa juvenile home at Toledo and for
13 salaries, support, maintenance, and miscellaneous purposes, and
14 for not more than the following full-time equivalent positions:

15 \$ 8,258,251
16 FTEs 114.00

17 2. For operation of the state training school at Eldora and
18 for salaries, support, maintenance, and miscellaneous purposes,
19 and for not more than the following full-time equivalent
20 positions:

21 \$ 10,638,677
22 FTEs 164.30

23 Of the funds appropriated in this subsection, \$91,150 shall
24 be used for distribution to licensed classroom teachers at this
25 and other institutions under the control of the department of
26 human services based upon the average student yearly enrollment
27 at each institution as determined by the department.

28 3. A portion of the moneys appropriated in this section
29 shall be used by the state training school and by the Iowa
30 juvenile home for grants for adolescent pregnancy prevention
31 activities at the institutions in the fiscal year beginning
32 July 1, 2011.

33 Sec. 16. CHILD AND FAMILY SERVICES.

34 1. There is appropriated from the general fund of the
35 state to the department of human services for the fiscal year

1 beginning July 1, 2011, and ending June 30, 2012, the following
2 amount, or so much thereof as is necessary, to be used for the
3 purpose designated:

4 For child and family services:

5 \$ 82,020,163

6 2. In order to address a reduction of \$5,200,000 from the
7 amount allocated under the appropriation made for the purposes
8 of this section in prior years for purposes of juvenile
9 delinquent graduated sanction services, up to \$5,200,000 of the
10 amount of federal temporary assistance for needy families block
11 grant funding appropriated in this division of this Act for
12 child and family services shall be made available for purposes
13 of juvenile delinquent graduated sanction services.

14 3. The department may transfer funds appropriated in this
15 section as necessary to pay the nonfederal costs of services
16 reimbursed under the medical assistance program, state child
17 care assistance program, or the family investment program which
18 are provided to children who would otherwise receive services
19 paid under the appropriation in this section. The department
20 may transfer funds appropriated in this section to the
21 appropriations made in this division of this Act for general
22 administration and for field operations for resources necessary
23 to implement and operate the services funded in this section.

24 4. a. Of the funds appropriated in this section, up to
25 \$30,169,129 is allocated as the statewide expenditure target
26 under section 232.143 for group foster care maintenance and
27 services. If the department projects that such expenditures
28 for the fiscal year will be less than the target amount
29 allocated in this lettered paragraph, the department may
30 reallocate the excess to provide additional funding for shelter
31 care or the child welfare emergency services addressed with the
32 allocation for shelter care.

33 b. If at any time after September 30, 2011, annualization
34 of a service area's current expenditures indicates a service
35 area is at risk of exceeding its group foster care expenditure

1 target under section 232.143 by more than 5 percent, the
2 department and juvenile court services shall examine all
3 group foster care placements in that service area in order to
4 identify those which might be appropriate for termination.
5 In addition, any aftercare services believed to be needed
6 for the children whose placements may be terminated shall be
7 identified. The department and juvenile court services shall
8 initiate action to set dispositional review hearings for the
9 placements identified. In such a dispositional review hearing,
10 the juvenile court shall determine whether needed aftercare
11 services are available and whether termination of the placement
12 is in the best interest of the child and the community.

13 5. In accordance with the provisions of section 232.188,
14 the department shall continue the child welfare and juvenile
15 justice funding initiative during fiscal year 2011-2012. Of
16 the funds appropriated in this section, \$1,717,753 is allocated
17 specifically for expenditure for fiscal year 2011-2012 through
18 the decategorization service funding pools and governance
19 boards established pursuant to section 232.188.

20 6. A portion of the funds appropriated in this section
21 may be used for emergency family assistance to provide other
22 resources required for a family participating in a family
23 preservation or reunification project or successor project to
24 stay together or to be reunified.

25 7. Notwithstanding section 234.35 or any other provision
26 of law to the contrary, state funding for shelter care and
27 the child welfare emergency services contracting implemented
28 to provide for or prevent the need for shelter care shall be
29 limited to \$7,170,116. The department may execute contracts
30 that result from the department's request for proposal, bid
31 number ACFS-11-114, to provide the range of child welfare
32 emergency services described in the request for proposals, and
33 any subsequent amendments to the request for proposals.

34 8. Federal funds received by the state during the fiscal
35 year beginning July 1, 2011, as the result of the expenditure

1 of state funds appropriated during a previous state fiscal
2 year for a service or activity funded under this section are
3 appropriated to the department to be used as additional funding
4 for services and purposes provided for under this section.
5 Notwithstanding section 8.33, moneys received in accordance
6 with this subsection that remain unencumbered or unobligated at
7 the close of the fiscal year shall not revert to any fund but
8 shall remain available for the purposes designated until the
9 close of the succeeding fiscal year.

10 9. Of the funds appropriated in this section, at least
11 \$3,696,285 shall be used for protective child care assistance.

12 10. a. Of the funds appropriated in this section, up to
13 \$2,062,488 is allocated for the payment of the expenses of
14 court-ordered services provided to juveniles who are under the
15 supervision of juvenile court services, which expenses are a
16 charge upon the state pursuant to section 232.141, subsection
17 4. Of the amount allocated in this lettered paragraph, up to
18 \$1,556,287 shall be made available to provide school-based
19 supervision of children adjudicated under chapter 232, of which
20 not more than \$15,000 may be used for the purpose of training.
21 A portion of the cost of each school-based liaison officer
22 shall be paid by the school district or other funding source as
23 approved by the chief juvenile court officer.

24 b. Of the funds appropriated in this section, up to \$748,985
25 is allocated for the payment of the expenses of court-ordered
26 services provided to children who are under the supervision
27 of the department, which expenses are a charge upon the state
28 pursuant to section 232.141, subsection 4.

29 c. Notwithstanding section 232.141 or any other provision
30 of law to the contrary, the amounts allocated in this
31 subsection shall be distributed to the judicial districts
32 as determined by the state court administrator and to the
33 department's service areas as determined by the administrator
34 of the department's division of child and family services. The
35 state court administrator and the division administrator shall

1 make the determination of the distribution amounts on or before
2 June 15, 2011.

3 d. Notwithstanding chapter 232 or any other provision of
4 law to the contrary, a district or juvenile court shall not
5 order any service which is a charge upon the state pursuant
6 to section 232.141 if there are insufficient court-ordered
7 services funds available in the district court or departmental
8 service area distribution amounts to pay for the service. The
9 chief juvenile court officer and the departmental service area
10 manager shall encourage use of the funds allocated in this
11 subsection such that there are sufficient funds to pay for
12 all court-related services during the entire year. The chief
13 juvenile court officers and departmental service area managers
14 shall attempt to anticipate potential surpluses and shortfalls
15 in the distribution amounts and shall cooperatively request the
16 state court administrator or division administrator to transfer
17 funds between the judicial districts' or departmental service
18 areas' distribution amounts as prudent.

19 e. Notwithstanding any provision of law to the contrary,
20 a district or juvenile court shall not order a county to pay
21 for any service provided to a juvenile pursuant to an order
22 entered under chapter 232 which is a charge upon the state
23 under section 232.141, subsection 4.

24 f. Of the funds allocated in this subsection, not more than
25 \$83,000 may be used by the judicial branch for administration
26 of the requirements under this subsection.

27 g. Of the funds allocated in this subsection, \$17,000
28 shall be used by the department of human services to support
29 the interstate commission for juveniles in accordance with
30 the interstate compact for juveniles as provided in section
31 232.173.

32 11. Of the funds appropriated in this section, \$4,522,602 is
33 allocated for juvenile delinquent graduated sanctions services.
34 Any state funds saved as a result of efforts by juvenile court
35 services to earn federal Tit. IV-E match for juvenile court

1 services administration may be used for the juvenile delinquent
2 graduated sanctions services.

3 12. Of the funds appropriated in this section, \$988,285
4 shall be transferred to the department of public health to
5 be used for the child protection center grant program in
6 accordance with section 135.118.

7 13. If the department receives federal approval to
8 implement a waiver under Tit. IV-E of the federal Social
9 Security Act to enable providers to serve children who remain
10 in the children's families and communities, for purposes of
11 eligibility under the medical assistance program, children who
12 participate in the waiver shall be considered to be placed in
13 foster care.

14 14. Of the funds appropriated in this section, \$3,069,832 is
15 allocated for the preparation for adult living program pursuant
16 to section 234.46.

17 15. Of the funds appropriated in this section, \$520,150
18 shall be used for juvenile drug courts. The amount allocated
19 in this subsection shall be distributed as follows:

20 To the judicial branch for salaries to assist with the
21 operation of juvenile drug court programs operated in the
22 following jurisdictions:

23	a. Marshall county:		
24	.....	\$	62,708
25	b. Woodbury county:		
26	.....	\$	125,682
27	c. Polk county:		
28	.....	\$	195,892
29	d. The third judicial district:		
30	.....	\$	67,934
31	e. The eighth judicial district:		
32	.....	\$	67,934

33 16. Of the funds appropriated in this section, \$227,337
34 shall be used for the public purpose of providing a grant to
35 a nonprofit human services organization providing services to

1 individuals and families in multiple locations in southwest
2 Iowa and Nebraska for support of a project providing immediate,
3 sensitive support and forensic interviews, medical exams, needs
4 assessments, and referrals for victims of child abuse and their
5 nonoffending family members.

6 17. Of the funds appropriated in this section, \$125,590
7 is allocated for the elevate approach of providing a support
8 network to children placed in foster care.

9 18. Of the funds appropriated in this section, \$202,000 is
10 allocated for use pursuant to section 235A.1 for continuation
11 of the initiative to address child sexual abuse implemented
12 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
13 21.

14 19. Of the funds appropriated in this section, \$630,240 is
15 allocated for the community partnership for child protection
16 sites.

17 20. Of the funds appropriated in this section, \$371,250
18 is allocated for the department's minority youth and family
19 projects under the redesign of the child welfare system.

20 21. Of the funds appropriated in this section, \$1,200,495
21 is allocated for funding of the state match for the federal
22 substance abuse and mental health services administration
23 (SAMHSA) system of care grant.

24 22. Of the funds appropriated in this section, at least
25 \$147,158 shall be used for the child welfare training academy.

26 23. Of the funds appropriated in this section, \$25,000
27 shall be used for the public purpose of providing a grant to
28 a child welfare services provider headquartered in a county
29 with a population between 205,000 and 215,000 in the latest
30 certified federal census that provides multiple services
31 including but not limited to a psychiatric medical institution
32 for children, shelter, residential treatment, after school
33 programs, school-based programming, and an Asperger's syndrome
34 program, to be used for support services for children with
35 autism spectrum disorder and their families.

1 Sec. 17. ADOPTION SUBSIDY.

2 1. There is appropriated from the general fund of the
3 state to the department of human services for the fiscal year
4 beginning July 1, 2011, and ending June 30, 2012, the following
5 amount, or so much thereof as is necessary, to be used for the
6 purpose designated:

7 For adoption subsidy payments and services:
8 \$ 34,897,591

9 2. The department may transfer funds appropriated in this
10 section to the appropriation made in this Act for general
11 administration for costs paid from the appropriation relating
12 to adoption subsidy.

13 3. Federal funds received by the state during the
14 fiscal year beginning July 1, 2011, as the result of the
15 expenditure of state funds during a previous state fiscal
16 year for a service or activity funded under this section are
17 appropriated to the department to be used as additional funding
18 for the services and activities funded under this section.
19 Notwithstanding section 8.33, moneys received in accordance
20 with this subsection that remain unencumbered or unobligated
21 at the close of the fiscal year shall not revert to any fund
22 but shall remain available for expenditure for the purposes
23 designated until the close of the succeeding fiscal year.

24 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited
25 in the juvenile detention home fund created in section 232.142
26 during the fiscal year beginning July 1, 2011, and ending June
27 30, 2012, are appropriated to the department of human services
28 for the fiscal year beginning July 1, 2011, and ending June 30,
29 2012, for distribution of an amount equal to a percentage of
30 the costs of the establishment, improvement, operation, and
31 maintenance of county or multicounty juvenile detention homes
32 in the fiscal year beginning July 1, 2010. Moneys appropriated
33 for distribution in accordance with this section shall be
34 allocated among eligible detention homes, prorated on the basis
35 of an eligible detention home's proportion of the costs of all

1 eligible detention homes in the fiscal year beginning July
2 1, 2010. The percentage figure shall be determined by the
3 department based on the amount available for distribution for
4 the fund. Notwithstanding section 232.142, subsection 3, the
5 financial aid payable by the state under that provision for the
6 fiscal year beginning July 1, 2011, shall be limited to the
7 amount appropriated for the purposes of this section.

8 The department of human services shall work with juvenile
9 detention centers and other stakeholders to review the current
10 methodology for distribution of moneys from the juvenile
11 detention home fund, consider alternative distribution
12 methodologies, and report findings and recommendations to
13 the persons designated by this division of this Act for the
14 submission of reports and to the division of criminal and
15 juvenile justice planning of the department of human rights by
16 December 15, 2011. It is the intent of the general assembly
17 to shift responsibility for administering the fund from the
18 department of human services to the division of criminal and
19 juvenile justice planning of the department of human rights,
20 effective with the fiscal year beginning July 1, 2012.

21 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM.

22 1. There is appropriated from the general fund of the
23 state to the department of human services for the fiscal year
24 beginning July 1, 2011, and ending June 30, 2012, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purpose designated:

27 For the family support subsidy program subject to the
28 enrollment restrictions in section 225C.37, subsection 3:
29 \$ 1,167,998

30 2. The department shall use at least \$385,500 of the moneys
31 appropriated in this section for the family support center
32 component of the comprehensive family support program under
33 section 225C.47. Not more than \$25,000 of the amount allocated
34 in this subsection shall be used for administrative costs.

35 3. If at any time during the fiscal year, the amount of

1 funding available for the family support subsidy program
2 is reduced from the amount initially used to establish the
3 figure for the number of family members for whom a subsidy
4 is to be provided at any one time during the fiscal year,
5 notwithstanding section 225C.38, subsection 2, the department
6 shall revise the figure as necessary to conform to the amount
7 of funding available.

8 Sec. 20. CONNER DECREE. There is appropriated from the
9 general fund of the state to the department of human services
10 for the fiscal year beginning July 1, 2011, and ending June 30,
11 2012, the following amount, or so much thereof as is necessary,
12 to be used for the purpose designated:

13 For building community capacity through the coordination
14 and provision of training opportunities in accordance with the
15 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
16 Iowa, July 14, 1994):

17 \$ 33,622

18 Sec. 21. MENTAL HEALTH INSTITUTES.

19 There is appropriated from the general fund of the state to
20 the department of human services for the fiscal year beginning
21 July 1, 2011, and ending June 30, 2012, the following amounts,
22 or so much thereof as is necessary, to be used for the purposes
23 designated:

24 1. For the state mental health institute at Cherokee for
25 salaries, support, maintenance, and miscellaneous purposes, and
26 for not more than the following full-time equivalent positions:

27 \$ 5,877,308

28 FTEs 168.50

29 2. For the state mental health institute at Clarinda for
30 salaries, support, maintenance, and miscellaneous purposes, and
31 for not more than the following full-time equivalent positions:

32 \$ 6,411,734

33 FTEs 86.10

34 3. For the state mental health institute at Independence for
35 salaries, support, maintenance, and miscellaneous purposes, and

1 for not more than the following full-time equivalent positions:

2 \$ 10,275,685

3 FTEs 233.00

4 4. For the state mental health institute at Mount Pleasant
5 for salaries, support, maintenance, and miscellaneous purposes,
6 and for not more than the following full-time equivalent
7 positions:

8 \$ 944,323

9 FTEs 91.72

10 Sec. 22. STATE RESOURCE CENTERS.

11 1. There is appropriated from the general fund of the
12 state to the department of human services for the fiscal year
13 beginning July 1, 2011, and ending June 30, 2012, the following
14 amounts, or so much thereof as is necessary, to be used for the
15 purposes designated:

16 a. For the state resource center at Glenwood for salaries,
17 support, maintenance, and miscellaneous purposes:

18 \$ 18,807,801

19 b. For the state resource center at Woodward for salaries,
20 support, maintenance, and miscellaneous purposes:

21 \$ 13,085,658

22 2. The department may continue to bill for state resource
23 center services utilizing a scope of services approach used for
24 private providers of ICFMR services, in a manner which does not
25 shift costs between the medical assistance program, counties,
26 or other sources of funding for the state resource centers.

27 3. The state resource centers may expand the time-limited
28 assessment and respite services during the fiscal year.

29 4. If the department's administration and the department
30 of management concur with a finding by a state resource
31 center's superintendent that projected revenues can reasonably
32 be expected to pay the salary and support costs for a new
33 employee position, or that such costs for adding a particular
34 number of new positions for the fiscal year would be less
35 than the overtime costs if new positions would not be added,

1 the superintendent may add the new position or positions. If
2 the vacant positions available to a resource center do not
3 include the position classification desired to be filled, the
4 state resource center's superintendent may reclassify any
5 vacant position as necessary to fill the desired position. The
6 superintendents of the state resource centers may, by mutual
7 agreement, pool vacant positions and position classifications
8 during the course of the fiscal year in order to assist one
9 another in filling necessary positions.

10 5. If existing capacity limitations are reached in
11 operating units, a waiting list is in effect for a service or
12 a special need for which a payment source or other funding
13 is available for the service or to address the special need,
14 and facilities for the service or to address the special need
15 can be provided within the available payment source or other
16 funding, the superintendent of a state resource center may
17 authorize opening not more than two units or other facilities
18 and begin implementing the service or addressing the special
19 need during fiscal year 2011-2012.

20 Sec. 23. MI/MR/DD STATE CASES.

21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2011, and ending June 30, 2012, the following
24 amount, or so much thereof as is necessary, to be used for the
25 purpose designated:

26 For distribution to counties for state case services
27 for persons with mental illness, mental retardation, and
28 developmental disabilities in accordance with section 331.440:
29 \$ 12,169,482

30 2. For the fiscal year beginning July 1, 2011, and ending
31 June 30, 2012, \$200,000 is allocated for state case services
32 from the amounts appropriated from the fund created in section
33 8.41 to the department of human services from the funds
34 received from the federal government under 42 U.S.C. ch. 6A,
35 subch. XVII, relating to the community mental health center

1 block grant, for the federal fiscal years beginning October
2 1, 2009, and ending September 30, 2010, beginning October 1,
3 2010, and ending September 30, 2011, and beginning October 1,
4 2011, and ending September 30, 2012. The allocation made in
5 this subsection shall be made prior to any other distribution
6 allocation of the appropriated federal funds.

7 3. Notwithstanding section 8.33, moneys appropriated in
8 this section that remain unencumbered or unobligated at the
9 close of the fiscal year shall not revert but shall remain
10 available for expenditure for the purposes designated until the
11 close of the succeeding fiscal year.

12 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES
13 — COMMUNITY SERVICES FUND. There is appropriated from

14 the general fund of the state to the mental health and
15 developmental disabilities community services fund created in
16 section 225C.7 for the fiscal year beginning July 1, 2011, and
17 ending June 30, 2012, the following amount, or so much thereof
18 as is necessary, to be used for the purpose designated:

19 For mental health and developmental disabilities community
20 services in accordance with this division of this Act:

21 \$ 14,211,100

22 1. Of the funds appropriated in this section, \$14,187,556
23 shall be allocated to counties for funding of community-based
24 mental health and developmental disabilities services. The
25 moneys shall be allocated to a county as follows:

26 a. Fifty percent based upon the county's proportion of the
27 state's population of persons with an annual income which is
28 equal to or less than the poverty guideline established by the
29 federal office of management and budget.

30 b. Fifty percent based upon the county's proportion of the
31 state's general population.

32 2. a. A county shall utilize the funding the county
33 receives pursuant to subsection 1 for services provided to
34 persons with a disability, as defined in section 225C.2.

35 However, no more than 50 percent of the funding shall be used

1 for services provided to any one of the service populations.

2 b. A county shall use at least 50 percent of the funding the
3 county receives under subsection 1 for contemporary services
4 provided to persons with a disability, as described in rules
5 adopted by the department.

6 3. Of the funds appropriated in this section, \$23,544
7 shall be used to support the Iowa compass program providing
8 computerized information and referral services for Iowans with
9 disabilities and their families.

10 4. a. Funding appropriated for purposes of the federal
11 social services block grant is allocated for distribution
12 to counties for local purchase of services for persons with
13 mental illness or mental retardation or other developmental
14 disability.

15 b. The funds allocated in this subsection shall be expended
16 by counties in accordance with the county's county management
17 plan approved by the board of supervisors. A county without
18 an approved county management plan shall not receive allocated
19 funds until the county's management plan is approved.

20 c. The funds provided by this subsection shall be allocated
21 to each county as follows:

22 (1) Fifty percent based upon the county's proportion of the
23 state's population of persons with an annual income which is
24 equal to or less than the poverty guideline established by the
25 federal office of management and budget.

26 (2) Fifty percent based upon the amount provided to the
27 county for local purchase of services in the preceding fiscal
28 year.

29 5. A county is eligible for funds under this section if the
30 county qualifies for a state payment as described in section
31 331.439.

32 6. The latest certified census issued by the United States
33 bureau of the census shall be applied for the population
34 factors utilized in this section.

35 Sec. 25. SEXUALLY VIOLENT PREDATORS.

1 1. There is appropriated from the general fund of the
2 state to the department of human services for the fiscal year
3 beginning July 1, 2011, and ending June 30, 2012, the following
4 amount, or so much thereof as is necessary, to be used for the
5 purpose designated:

6 For costs associated with the commitment and treatment of
7 sexually violent predators in the unit located at the state
8 mental health institute at Cherokee, including costs of legal
9 services and other associated costs, including salaries,
10 support, maintenance, and miscellaneous purposes, and for not
11 more than the following full-time equivalent positions:
12 \$ 7,550,727
13 FTEs 89.50

14 2. Unless specifically prohibited by law, if the amount
15 charged provides for recoupment of at least the entire amount
16 of direct and indirect costs, the department of human services
17 may contract with other states to provide care and treatment
18 of persons placed by the other states at the unit for sexually
19 violent predators at Cherokee. The moneys received under
20 such a contract shall be considered to be repayment receipts
21 and used for the purposes of the appropriation made in this
22 section.

23 Sec. 26. FIELD OPERATIONS. There is appropriated from the
24 general fund of the state to the department of human services
25 for the fiscal year beginning July 1, 2011, and ending June 30,
26 2012, the following amount, or so much thereof as is necessary,
27 to be used for the purposes designated:

28 For field operations, including salaries, support,
29 maintenance, and miscellaneous purposes, and for not more than
30 the following full-time equivalent positions:
31 \$ 55,339,921
32 FTEs 1,781.00

33 Priority in filling full-time equivalent positions shall be
34 given to those positions related to child protection services
35 and eligibility determination for low-income families.

1 \$ 84,660

2 Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
3 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
4 DEPARTMENT OF HUMAN SERVICES.

5 1. a. (1) For the fiscal year beginning July 1, 2011,
6 the total state funding amount for the nursing facility budget
7 shall not exceed \$225,502,551.

8 (2) For the fiscal year beginning July 1, 2011, the
9 department shall rebase case-mix nursing facility rates
10 effective July 1, 2011. However, total nursing facility budget
11 expenditures, including both case-mix and noncase-mix shall
12 not exceed the amount specified in subparagraph (1). When
13 calculating case-mix per diem cost and the patient-day-weighted
14 medians used in rate-setting for nursing facilities effective
15 July 1, 2011, the inflation factor applied from the midpoint
16 of the cost report period to the first day of the state fiscal
17 year rate period shall be adjusted to maintain state funding
18 within the amount specified in subparagraph (1).

19 (3) The department, in cooperation with nursing facility
20 representatives, shall review projections for state funding
21 expenditures for reimbursement of nursing facilities on a
22 quarterly basis and the department shall determine if an
23 adjustment to the medical assistance reimbursement rate is
24 necessary in order to provide reimbursement within the state
25 funding amount for the fiscal year. Notwithstanding 2001
26 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
27 "c", and subsection 3, paragraph "a", subparagraph (2),
28 if the state funding expenditures for the nursing facility
29 budget for the fiscal year is projected to exceed the amount
30 specified in subparagraph (1), the department shall adjust
31 the reimbursement for nursing facilities reimbursed under the
32 case-mix reimbursement system to maintain expenditures of the
33 nursing facility budget within the specified amount for the
34 fiscal year.

35 (4) For the fiscal year beginning July 1, 2011, special

1 population nursing facilities shall be reimbursed in accordance
2 with the methodology in effect on June 30, 2011.

3 b. For the fiscal year beginning July 1, 2011, the
4 department shall reimburse pharmacy dispensing fees using a
5 single rate of \$4.34 per prescription or the pharmacy's usual
6 and customary fee, whichever is lower.

7 c. (1) For the fiscal year beginning July 1, 2011,
8 reimbursement rates for outpatient hospital services shall be
9 rebased effective January 1, 2012.

10 (2) For the fiscal year beginning July 1, 2011,
11 reimbursement rates for inpatient hospital services shall be
12 rebased effective October 1, 2011.

13 (3) The total amount of increased funding available for
14 reimbursement attributable to rebasing under this paragraph
15 for the fiscal year beginning July 1, 2011, shall not exceed
16 \$4,500,000.

17 (4) For the fiscal year beginning July 1, 2011, the graduate
18 medical education and disproportionate share hospital fund
19 shall remain at the amount in effect on June 30, 2011.

20 (5) In order to ensure the efficient use of limited state
21 funds in procuring health care services for low-income Iowans,
22 funds appropriated in this Act for hospital services shall
23 not be used for activities which would be excluded from a
24 determination of reasonable costs under the federal Medicare
25 program pursuant to 42 U.S.C. § 1395X(v)(1)(N).

26 d. For the fiscal year beginning July 1, 2011, reimbursement
27 rates for rural health clinics, hospices, and acute mental
28 hospitals shall be increased in accordance with increases under
29 the federal Medicare program or as supported by their Medicare
30 audited costs.

31 e. For the fiscal year beginning July 1, 2011, independent
32 laboratories and rehabilitation agencies shall be reimbursed
33 using the same methodology in effect on June 30, 2011.

34 f. For the fiscal year beginning July 1, 2011, reimbursement
35 rates for home health agencies shall remain at the rates in

1 effect on June 30, 2011, not to exceed a home health agency's
2 actual allowable cost.

3 g. For the fiscal year beginning July 1, 2011, federally
4 qualified health centers shall receive cost-based reimbursement
5 for 100 percent of the reasonable costs for the provision of
6 services to recipients of medical assistance.

7 h. For the fiscal year beginning July 1, 2011, the
8 reimbursement rates for dental services shall remain at the
9 rates in effect on June 30, 2011.

10 i. For the fiscal year beginning July 1, 2011, state-owned
11 psychiatric medical institutions for children shall receive
12 cost-based reimbursement for 100 percent of the actual and
13 allowable costs for the provision of services to recipients of
14 medical assistance. For nonstate-owned psychiatric medical
15 institutions for children, reimbursement rates shall remain at
16 the rates in effect on June 30, 2011.

17 j. For the fiscal year beginning July 1, 2011, unless
18 otherwise specified in this Act, all noninstitutional medical
19 assistance provider reimbursement rates shall remain at the
20 rates in effect on June 30, 2011, except for area education
21 agencies, local education agencies, infant and toddler services
22 providers, and those providers whose rates are required to be
23 determined pursuant to section 249A.20.

24 k. Notwithstanding any provision to the contrary, for the
25 fiscal year beginning July 1, 2011, the reimbursement rate for
26 anesthesiologists shall remain at the rate in effect on June
27 30, 2011.

28 l. Notwithstanding section 249A.20, for the fiscal year
29 beginning July 1, 2011, the average reimbursement rate for
30 health care providers eligible for use of the federal Medicare
31 resource-based relative value scale reimbursement methodology
32 under that section shall remain at the rate in effect on June
33 30, 2011; however, this rate shall not exceed the maximum level
34 authorized by the federal government.

35 m. For the fiscal year beginning July 1, 2011, the

1 reimbursement rate for residential care facilities shall not
2 be less than the minimum payment level as established by the
3 federal government to meet the federally mandated maintenance
4 of effort requirement. The flat reimbursement rate for
5 facilities electing not to file annual cost reports shall not
6 be less than the minimum payment level as established by the
7 federal government to meet the federally mandated maintenance
8 of effort requirement.

9 n. For the fiscal year beginning July 1, 2011, inpatient
10 mental health services provided at hospitals shall be rebased
11 effective October 1, 2011, subject to Medicaid program upper
12 payment limit rules; community mental health centers and
13 providers of mental health services to county residents
14 pursuant to a waiver approved under section 225C.7, subsection
15 3, shall be reimbursed at 100 percent of the reasonable
16 costs for the provision of services to recipients of medical
17 assistance; and psychiatrists shall be reimbursed at the
18 medical assistance program fee for service rate.

19 o. For the fiscal year beginning July 1, 2011, the
20 reimbursement rate for consumer-directed attendant care shall
21 remain at the rates in effect on June 30, 2011.

22 p. For the fiscal year beginning July 1, 2011, the
23 reimbursement rate for providers of family planning services
24 that are eligible to receive a 90 percent federal match shall
25 remain at the rates in effect on June 30, 2011.

26 2. For the fiscal year beginning July 1, 2011, the
27 reimbursement rate for providers reimbursed under the
28 in-home-related care program shall not be less than the minimum
29 payment level as established by the federal government to meet
30 the federally mandated maintenance of effort requirement.

31 3. Unless otherwise directed in this section, when the
32 department's reimbursement methodology for any provider
33 reimbursed in accordance with this section includes an
34 inflation factor, this factor shall not exceed the amount
35 by which the consumer price index for all urban consumers

1 increased during the calendar year ending December 31, 2002.

2 4. For the fiscal year beginning July 1, 2011,
3 notwithstanding section 234.38, the foster family basic daily
4 maintenance rate and the maximum adoption subsidy rate for
5 children ages 0 through 5 years shall be \$15.74, the rate for
6 children ages 6 through 11 years shall be \$16.37, the rate for
7 children ages 12 through 15 years shall be \$17.92, and the
8 rate for children and young adults ages 16 and older shall be
9 \$18.16. The maximum supervised apartment living foster care
10 reimbursement rate shall be \$25.00 per day. For youth ages
11 18 to 21 who have exited foster care, the maximum preparation
12 for adult living program maintenance rate shall be \$574.00 per
13 month. The maximum payment for adoption subsidy nonrecurring
14 expenses shall be limited to \$500 and the disallowance of
15 additional amounts for court costs and other related legal
16 expenses implemented pursuant to 2010 Iowa Acts, chapter 1031,
17 section 408 shall be continued.

18 5. For the fiscal year beginning July 1, 2011, the maximum
19 reimbursement rates under the supervised apartment living
20 program and for social services providers under contract
21 shall remain at the rates in effect on June 30, 2011, or the
22 provider's actual and allowable cost plus inflation for each
23 service, whichever is less. However, if a new service or
24 service provider is added after June 30, 2011, the initial
25 reimbursement rate for the service or provider shall be
26 based upon actual and allowable costs. Providers may also
27 be eligible for an additional amount as specified under the
28 department's request for proposal, bid number ACFS-11-115.

29 6. For the fiscal year beginning July 1, 2011, the
30 reimbursement rates for family-centered service providers,
31 family foster care service providers, group foster care service
32 providers, and the resource family recruitment and retention
33 contractor shall remain at the rates in effect on June 30,
34 2011.

35 7. The group foster care reimbursement rates paid for

1 placement of children out of state shall be calculated
2 according to the same rate-setting principles as those used for
3 in-state providers, unless the director of human services or
4 the director's designee determines that appropriate care cannot
5 be provided within the state. The payment of the daily rate
6 shall be based on the number of days in the calendar month in
7 which service is provided.

8 8. a. For the fiscal year beginning July 1, 2011, the
9 reimbursement rate paid for shelter care and the child welfare
10 emergency services implemented to provide or prevent the need
11 for shelter care shall be established in a contract based on
12 the requirements of the department's request for proposal, bid
13 number ACFS-11-114.

14 b. For the fiscal year beginning July 1, 2011, the combined
15 service and maintenance components of the reimbursement rate
16 paid for shelter care services shall be based on the financial
17 and statistical report submitted to the department. The
18 maximum reimbursement rate shall be \$92.36 per day. The
19 department shall reimburse a shelter care provider at the
20 provider's actual and allowable unit cost, plus inflation, not
21 to exceed the maximum reimbursement rate.

22 c. Notwithstanding section 232.141, subsection 8, for the
23 fiscal year beginning July 1, 2011, the amount of the statewide
24 average of the actual and allowable rates for reimbursement of
25 juvenile shelter care homes that is utilized for the limitation
26 on recovery of unpaid costs shall remain at the amount in
27 effect for this purpose in the fiscal year beginning July 1,
28 2010.

29 9. For the fiscal year beginning July 1, 2011, the
30 department shall calculate reimbursement rates for intermediate
31 care facilities for persons with mental retardation at the
32 80th percentile. Beginning July 1, 2011, the rate calculation
33 methodology shall utilize the consumer price index inflation
34 factor applicable to the fiscal year beginning July 1, 2011.

35 10. For the fiscal year beginning July 1, 2011, for child

1 care providers reimbursed under the state child care assistance
2 program, the department shall set provider reimbursement
3 rates based on the rate reimbursement survey completed in
4 December 2004. Effective July 1, 2011, the child care provider
5 reimbursement rates shall remain at the rates in effect on June
6 30, 2011. The department shall set rates in a manner so as
7 to provide incentives for a nonregistered provider to become
8 registered by applying the increase only to registered and
9 licensed providers.

10 11. The department may adopt emergency rules to implement
11 this section.

12 Sec. 30. EMERGENCY RULES.

13 1. If specifically authorized by a provision of this
14 division of this Act, the department of human services or
15 the mental health, and disability services commission may
16 adopt administrative rules under section 17A.4, subsection
17 3, and section 17A.5, subsection 2, paragraph "b", to
18 implement the provisions and the rules shall become effective
19 immediately upon filing or on a later effective date specified
20 in the rules, unless the effective date is delayed by the
21 administrative rules review committee. Any rules adopted in
22 accordance with this section shall not take effect before
23 the rules are reviewed by the administrative rules review
24 committee. The delay authority provided to the administrative
25 rules review committee under section 17A.4, subsection 7, and
26 section 17A.8, subsection 9, shall be applicable to a delay
27 imposed under this section, notwithstanding a provision in
28 those sections making them inapplicable to section 17A.5,
29 subsection 2, paragraph "b". Any rules adopted in accordance
30 with the provisions of this section shall also be published as
31 notice of intended action as provided in section 17A.4.

32 2. If during the fiscal year beginning July 1, 2011, the
33 department of human services is adopting rules in accordance
34 with this section or as otherwise directed or authorized by
35 state law, and the rules will result in an expenditure increase

1 beyond the amount anticipated in the budget process or if the
2 expenditure was not addressed in the budget process for the
3 fiscal year, the department shall notify the persons designated
4 by this division of this Act for submission of reports,
5 the chairpersons and ranking members of the committees on
6 appropriations, and the department of management concerning the
7 rules and the expenditure increase. The notification shall be
8 provided at least 30 calendar days prior to the date notice of
9 the rules is submitted to the administrative rules coordinator
10 and the administrative code editor.

11 Sec. 31. FEDERAL GRANTS REPORTING. During the fiscal
12 year beginning July 1, 2011, the departments and agencies
13 receiving an appropriation in this Act from the general fund
14 of the state shall report to the persons designated by this
15 Act for submission of reports and the department of management
16 within 60 calendar days of applying for or renewing a federal
17 grant with a value over \$1,000. The report shall list the
18 federal funding source and address the potential need for the
19 commitment of state funding in order to match or continue the
20 funding provided by the federal grant in the present or the
21 future.

22 Sec. 32. REPORTS. Any reports or information required to be
23 compiled and submitted under this Act shall be submitted to the
24 chairpersons and ranking members of the joint appropriations
25 subcommittee on health and human services, the legislative
26 services agency, and the legislative caucus staffs on or
27 before the dates specified for submission of the reports or
28 information.

29 Sec. 33. EFFECTIVE DATE. The following provision of this
30 division of this Act, being deemed of immediate importance,
31 take effect upon enactment:

32 The provision under the appropriation for child and family
33 services, relating to requirements of section 232.143 for
34 representatives of the department of human services and
35 juvenile court services to establish a plan for continuing

1 group foster care expenditures for fiscal year 2011-2012.

2 DIVISION V
3 PHARMACEUTICAL SETTLEMENT ACCOUNT,
4 IOWACARE ACCOUNT, HEALTH CARE
5 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT,
6 QUALITY ASSURANCE TRUST FUND,
7 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND

8 Sec. 34. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
9 appropriated from the pharmaceutical settlement account created
10 in section 249A.33 to the department of human services for the
11 fiscal year beginning July 1, 2011, and ending June 30, 2012,
12 the following amount, or so much thereof as is necessary, to be
13 used for the purpose designated:

14 Notwithstanding any provision of law to the contrary, to
15 supplement the appropriations made in this Act for medical
16 contracts under the medical assistance program:

17 \$ 5,433,613

18 Sec. 35. APPROPRIATIONS FROM IOWACARE ACCOUNT.

19 1. There is appropriated from the IowaCare account
20 created in section 249J.24 to the state board of regents for
21 distribution to the university of Iowa hospitals and clinics
22 for the fiscal year beginning July 1, 2011, and ending June 30,
23 2012, the following amount, or so much thereof as is necessary,
24 to be used for the purposes designated:

25 For salaries, support, maintenance, equipment, and
26 miscellaneous purposes, for the provision of medical and
27 surgical treatment of indigent patients, for provision of
28 services to members of the expansion population pursuant to
29 chapter 249J, and for medical education:

30 \$ 27,284,584

31 a. Funds appropriated in this subsection shall not be used
32 to perform abortions except medically necessary abortions,
33 and shall not be used to operate the early termination of
34 pregnancy clinic except for the performance of medically
35 necessary abortions. For the purpose of this subsection,

1 medically necessary abortions are those performed under any of
2 the following conditions:

3 (1) The attending physician certifies that continuing the
4 pregnancy would endanger the life of the pregnant woman.

5 (2) Any spontaneous abortion, commonly known as a
6 miscarriage, if not all of the products of conception are
7 expelled.

8 b. Notwithstanding any provision of law to the contrary,
9 the amount appropriated in this subsection shall be distributed
10 based on claims submitted, adjudicated, and paid by the Iowa
11 Medicaid enterprise.

12 c. The university of Iowa hospitals and clinics shall
13 certify public expenditures in an amount equal to provide
14 the nonfederal share on total expenditures not to exceed
15 \$20,000,000.

16 2. There is appropriated from the IowaCare account
17 created in section 249J.24 to the state board of regents for
18 distribution to the university of Iowa hospitals and clinics
19 for the fiscal year beginning July 1, 2011, and ending June 30,
20 2012, the following amount, or so much thereof as is necessary,
21 to be used for the purposes designated:

22 For salaries, support, maintenance, equipment, and
23 miscellaneous purposes, for the provision of medical and
24 surgical treatment of indigent patients, for provision of
25 services to members of the expansion population pursuant to
26 chapter 249J, and for medical education:
27 \$ 54,226,279

28 Notwithstanding any provision of law to the contrary, the
29 amount appropriated in this subsection shall be distributed
30 based on claims submitted, adjudicated, and paid by the Iowa
31 Medicaid enterprise.

32 3. There is appropriated from the IowaCare account
33 created in section 249J.24, to the state board of regents for
34 distribution to university of Iowa physicians for the fiscal
35 year beginning July 1, 2011, and ending June 30, 2012, the

1 following amount, or so much thereof as is necessary to be used
2 for the purposes designated:

3 For salaries, support, maintenance, equipment, and
4 miscellaneous purposes for the provision of medical and
5 surgical treatment of indigent patients, for provision of
6 services to members of the expansion population pursuant to
7 chapter 249J, and for medical education:
8 \$ 14,000,000

9 Notwithstanding any provision of law to the contrary, the
10 amount appropriated in this subsection shall be distributed
11 based on claims submitted, adjudicated, and paid by the Iowa
12 Medicaid enterprise. Once the entire amount appropriated in
13 this subsection has been distributed, claims shall continue to
14 be submitted and adjudicated by the Iowa Medicaid enterprise;
15 however, no payment shall be made based upon such claims.

16 4. There is appropriated from the IowaCare account created
17 in section 249J.24 to the department of human services for the
18 fiscal year beginning July 1, 2011, and ending June 30, 2012,
19 the following amount, or so much thereof as is necessary, to be
20 used for the purposes designated:

21 For distribution to a publicly owned acute care teaching
22 hospital located in a county with a population over 350,000 for
23 the provision of medical and surgical treatment of indigent
24 patients, for provision of services to members of the expansion
25 population pursuant to chapter 249J, and for medical education:
26 \$ 51,500,000

27 a. Notwithstanding any provision of law to the contrary,
28 the amount appropriated in this subsection shall be distributed
29 based on claims submitted, adjudicated, and paid by the Iowa
30 Medicaid enterprise plus a monthly disproportionate share
31 hospital payment. Any amount appropriated in this subsection
32 in excess of \$48,500,000 shall be distributed only if the sum
33 of the expansion population claims adjudicated and paid by the
34 Iowa Medicaid enterprise plus the estimated disproportionate
35 share hospital payments exceeds \$48,500,000. The amount paid

1 in excess of \$48,500,000 shall not adjust the original monthly
2 payment amount but shall be distributed monthly based on actual
3 claims adjudicated and paid by the Iowa Medicaid enterprise
4 plus the estimated disproportionate share hospital amount. Any
5 amount appropriated in this subsection in excess of \$48,500,000
6 shall be allocated only if federal funds are available to match
7 the amount allocated.

8 b. Notwithstanding the total amount of proceeds distributed
9 pursuant to section 249J.24, subsection 6, paragraph "a",
10 unnumbered paragraph 1, for the fiscal year beginning July
11 1, 2011, and ending June 30, 2012, the county treasurer of a
12 county with a population of over 350,000 in which a publicly
13 owned acute care teaching hospital is located shall distribute
14 the proceeds collected pursuant to section 347.7 in a total
15 amount of \$38,000,000, which would otherwise be distributed to
16 the county hospital, to the treasurer of state for deposit in
17 the IowaCare account.

18 c. (1) Notwithstanding the amount collected and
19 distributed for deposit in the IowaCare account pursuant to
20 section 249J.24, subsection 6, paragraph "a", subparagraph
21 (1), the first \$19,000,000 in proceeds collected pursuant to
22 section 347.7 between July 1, 2011, and December 31, 2011,
23 shall be distributed to the treasurer of state for deposit in
24 the IowaCare account and collections during this time period in
25 excess of \$19,000,000 shall be distributed to the acute care
26 teaching hospital identified in this subsection.

27 (2) Notwithstanding the amount collected and distributed
28 for deposit in the IowaCare account pursuant to section
29 249J.24, subsection 6, paragraph "a", subparagraph (2),
30 the first \$19,000,000 in collections pursuant to section
31 347.7 between January 1, 2012, and June 30, 2012, shall be
32 distributed to the treasurer of state for deposit in the
33 IowaCare account and collections during this time period in
34 excess of \$19,000,000 shall be distributed to the acute care
35 teaching hospital identified in this subsection.

1 5. There is appropriated from the IowaCare account created
2 in section 249J.24 to the department of human services for the
3 fiscal year beginning July 1, 2011, and ending June 30, 2012,
4 the following amount, or so much thereof as is necessary to be
5 used for the purpose designated:

6 For payment to the regional provider network specified
7 by the department pursuant to section 249J.7 for provision
8 of covered services to members of the expansion population
9 pursuant to chapter 249J:

10 \$ 6,000,000

11 Notwithstanding any provision of law to the contrary, the
12 amount appropriated in this subsection shall be distributed
13 based on claims submitted, adjudicated, and paid by the Iowa
14 Medicaid enterprise. Once the entire amount appropriated in
15 this subsection has been distributed, claims shall continue to
16 be submitted and adjudicated by the Iowa Medicaid enterprise;
17 however, no payment shall be made based upon such claims.

18 6. There is appropriated from the IowaCare account created
19 in section 249J.24 to the department of human services for the
20 fiscal year beginning July 1, 2011, and ending June 30, 2012,
21 the following amount, or so much thereof as is necessary to be
22 used for the purposes designated:

23 For payment to nonparticipating providers for covered
24 services provided in accordance with section 249J.24A:

25 \$ 2,000,000

26 Sec. 36. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
27 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

28 Notwithstanding any provision to the contrary, there is
29 appropriated from the account for health care transformation
30 created in section 249J.23 to the department of human services
31 for the fiscal year beginning July 1, 2011, and ending June
32 30, 2012, the following amounts, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 1. For the costs of medical examinations for the expansion
35 population pursuant to section 249J.6:

1 \$ 556,800
2 2. For the provision of an IowaCare nurse helpline for the
3 expansion population as provided in section 249J.6:
4 \$ 100,000
5 3. For other health promotion partnership activities
6 pursuant to section 249J.14:
7 \$ 600,000
8 4. For the costs related to audits, performance
9 evaluations, and studies required pursuant to chapter 249J:
10 \$ 125,000
11 5. For administrative costs associated with chapter 249J:
12 \$ 1,132,412
13 6. For planning and development, in cooperation with the
14 department of public health, of a phased-in program to provide
15 a dental home for children in accordance with section 249J.14:
16 \$ 1,000,000
17 7. For continuation of the establishment of the tuition
18 assistance for individuals serving individuals with
19 disabilities pilot program, as enacted in 2008 Iowa Acts,
20 chapter 1187, section 130:
21 \$ 50,000
22 8. For medical contracts:
23 \$ 2,000,000
24 9. For payment to the publicly owned acute care teaching
25 hospital located in a county with a population of over 350,000
26 that is a participating provider pursuant to chapter 249J:
27 \$ 290,000
28 Disbursements under this subsection shall be made monthly.
29 The hospital shall submit a report following the close of the
30 fiscal year regarding use of the funds appropriated in this
31 subsection to the persons specified in this Act to receive
32 reports.
33 10. For the medical home system advisory council
34 established pursuant to section 135.159:
35 \$ 200,000

1 Notwithstanding section 8.39, subsection 1, without the
2 prior written consent and approval of the governor and the
3 director of the department of management, the director of human
4 services may transfer funds among the appropriations made in
5 this section as necessary to carry out the purposes of the
6 account for health care transformation. The department shall
7 report any transfers made pursuant to this section to the
8 legislative services agency.

9 Sec. 37. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF
10 INSPECTIONS AND APPEALS. There is appropriated from the
11 Medicaid fraud account created in section 249A.7 to the
12 department of inspections and appeals for the fiscal year
13 beginning July 1, 2011, and ending June 30, 2012, the following
14 amount, or so much thereof as is necessary, to be used for the
15 purposes designated:

16 For the inspection and certification of assisted living
17 programs and adult day care services, including program
18 administration and costs associated with implementation:
19 \$ 1,339,527

20 Sec. 38. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF HUMAN
21 SERVICES. There is appropriated from the Medicaid fraud
22 account created in section 249A.7 to the department of human
23 services for the fiscal year beginning July 1, 2011, and ending
24 June 30, 2012, the following amount, or so much thereof as is
25 necessary, to be used for the purposes designated:

26 To supplement the appropriation made in this Act from the
27 general fund of the state to the department of human services
28 for medical assistance:
29 \$ 2,000,000

30 Sec. 39. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
31 SERVICES. Notwithstanding any provision to the contrary and
32 subject to the availability of funds, there is appropriated
33 from the quality assurance trust fund created in section
34 249L.4 to the department of human services for the fiscal year
35 beginning July 1, 2011, and ending June 30, 2012, the following

1 amounts, or so much thereof as is necessary for the purposes
2 designated:

3 To supplement the appropriation made in this Act from the
4 general fund of the state to the department of human services
5 for medical assistance:

6 \$ 29,000,000

7 Sec. 40. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
8 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
9 the contrary and subject to the availability of funds, there is
10 appropriated from the hospital health care access trust fund
11 created in section 249M.4 to the department of human services
12 for the fiscal year beginning July 1, 2011, and ending June
13 30, 2012, the following amounts, or so much thereof as is
14 necessary, for the purposes designated:

15 1. To supplement the appropriation made in this Act from the
16 general fund of the state to the department of human services
17 for medical assistance:

18 \$ 39,223,800

19 2. For deposit in the nonparticipating provider
20 reimbursement fund created in section 249J.24A to be used for
21 the purposes of the fund:

22 \$ 776,200

23 Sec. 41. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
24 FOR FY 2011-2012. Notwithstanding section 8.33, if moneys
25 appropriated for purposes of the medical assistance program
26 for the fiscal year beginning July 1, 2011, and ending June
27 30, 2012, from the general fund of the state, the Medicaid
28 fraud account, the quality assurance trust fund, and the
29 hospital health care access trust fund, are in excess of actual
30 expenditures for the medical assistance program and remain
31 unencumbered or unobligated at the close of the fiscal year,
32 the excess moneys shall not revert but shall remain available
33 for expenditure for the purposes of the medical assistance
34 program until the close of the succeeding fiscal year.

35

DIVISION VI

1 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FOR FISCAL YEAR
2 2011-2012

3 Sec. 42. MENTAL HEALTH, MENTAL RETARDATION, AND
4 DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX
5 RELIEF. Notwithstanding the standing appropriation in section
6 426B.1, subsection 2, for the fiscal year beginning July 1,
7 2011, and ending June 30, 2012, the amount appropriated from
8 the general fund of the state pursuant to that provision shall
9 not exceed the following amount:

10 \$ 81,199,911

11 Sec. 43. 2010 Iowa Acts, chapter 1193, section 1, is amended
12 to read as follows:

13 SECTION 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING
14 — FY 2011-2012.

15 1. Notwithstanding section 331.439, subsection 3, the
16 allowed growth factor adjustment for county mental health,
17 mental retardation, and developmental disabilities service
18 expenditures for the fiscal year beginning July 1, 2011, shall
19 be established by statute which shall be enacted within thirty
20 calendar days of the convening of the Eighty-fourth General
21 Assembly, 2011 Session, on January 10, 2011. The governor
22 shall submit to the general assembly a recommendation for such
23 allowed growth factor adjustment and the amounts of related
24 appropriations to the general assembly on or before January 11,
25 2011.

26 2. The appropriation and allocations made in this section
27 fulfill the requirements of the governor and general assembly
28 under subsection 1.

29 3. There is appropriated from the general fund of the
30 state to the department of human services for the fiscal year
31 beginning July 1, 2011, and ending June 30, 2012, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purpose designated:

34 For distribution to counties of the county mental health,
35 mental retardation, and developmental disabilities allowed

1 growth factor adjustment for fiscal year 2011-2012 as provided
2 in this section in lieu of the allowed growth factor provisions
3 of section 331.438, subsection 2, and section 331.439,
4 subsection 3, and chapter 426B:

5 \$ 48,697,893

6 Sec. 44. 2010 Iowa Acts, chapter 1193, section 1, as
7 amended by this division of this Act, is amended by adding the
8 following new subsections:

9 NEW SUBSECTION. 4. Of the amount appropriated in this
10 section, \$12,000,000 shall be distributed as provided in this
11 subsection.

12 a. To be eligible to receive a distribution under this
13 subsection, a county must meet the following requirements:

14 (1) The county is levying for the maximum amount allowed
15 for the county's mental health, mental retardation, and
16 developmental disabilities services fund under section 331.424A
17 for taxes due and payable in the fiscal year beginning July 1,
18 2011, or the county is levying for at least 90 percent of the
19 maximum amount allowed for the county's services fund and that
20 levy rate is more than \$2 per \$1,000 of the assessed value of
21 all taxable property in the county.

22 (2) In the fiscal year beginning July 1, 2009, the
23 county's mental health, mental retardation, and developmental
24 disabilities services fund ending balance under generally
25 accepted accounting principles was equal to or less than 15
26 percent of the county's actual gross expenditures for that
27 fiscal year.

28 b. The amount of a county's distribution from the allocation
29 made in this subsection shall be determined based upon the
30 county's proportion of the general population of the counties
31 eligible to receive a distribution under this subsection. The
32 latest certified federal census issued by the United States
33 bureau of the census shall be applied in determining population
34 for the purposes of this paragraph.

35 c. The distributions made pursuant to this subsection

1 are subject to the distribution provisions and withholding
2 requirements established in this section for the county mental
3 health, mental retardation, and developmental disabilities
4 allowed growth factor adjustment for the fiscal year beginning
5 July 1, 2011.

6 NEW SUBSECTION. 5. The following amount of the funding
7 appropriated in this section is the allowed growth factor
8 adjustment for fiscal year 2011-2012, and shall be credited to
9 the allowed growth funding pool created in the property tax
10 relief fund and for distribution in accordance with section
11 426B.5, subsection 1:

12 \$ 36,697,893

13 NEW SUBSECTION. 6. The following formula amounts shall be
14 utilized only to calculate preliminary distribution amounts for
15 the allowed growth factor adjustment for fiscal year 2011-2012
16 under this section by applying the indicated formula provisions
17 to the formula amounts and producing a preliminary distribution
18 total for each county:

19 a. For calculation of a distribution amount for eligible
20 counties from the allowed growth funding pool created in the
21 property tax relief fund in accordance with the requirements in
22 section 426B.5, subsection 1:

23 \$ 49,773,346

24 b. For calculation of a distribution amount for counties
25 from the mental health and developmental disabilities (MH/DD)
26 community services fund in accordance with the formula provided
27 in the appropriation made for the MH/DD community services fund
28 for the fiscal year beginning July 1, 2011:

29 \$ 14,187,556

30 NEW SUBSECTION. 7. a. After applying the applicable
31 statutory distribution formulas to the amounts indicated in
32 subsection 6 for purposes of producing preliminary distribution
33 totals, the department of human services shall apply a
34 withholding factor to adjust an eligible individual county's
35 preliminary distribution total. In order to be eligible for

1 a distribution under this section, a county must be levying
2 90 percent or more of the maximum amount allowed for the
3 county's mental health, mental retardation, and developmental
4 disabilities services fund under section 331.424A for taxes due
5 and payable in the fiscal year for which the distribution is
6 payable.

7 b. An ending balance percentage for each county shall
8 be determined by expressing the county's ending balance on a
9 modified accrual basis under generally accepted accounting
10 principles for the fiscal year beginning July 1, 2009, in the
11 county's mental health, mental retardation, and developmental
12 disabilities services fund created under section 331.424A, as a
13 percentage of the county's gross expenditures from that fund
14 for that fiscal year. If a county borrowed moneys for purposes
15 of providing services from the county's services fund on or
16 before July 1, 2009, and the county's services fund ending
17 balance for that fiscal year includes the loan proceeds or an
18 amount designated in the county budget to service the loan for
19 the borrowed moneys, those amounts shall not be considered
20 to be part of the county's ending balance for purposes of
21 calculating an ending balance percentage under this subsection.

22 c. For purposes of calculating withholding factors and for
23 ending balance amounts used for other purposes under law, the
24 county ending balances shall be adjusted, using forms developed
25 for this purpose by the county finance committee, to disregard
26 the temporary funding increase provided to the counties for
27 the fiscal year through the federal American Recovery and
28 Reinvestment Act of 2009, Pub. L. No. 111-5. In addition, a
29 county may adjust the ending balance amount by rebating to the
30 department all or a portion of the allowed growth and MH/DD
31 services fund moneys the county received for the fiscal year
32 beginning July 1, 2010, in accordance with 2009 Iowa Acts,
33 chapter 179, section 1, as amended by 2009 Iowa Acts, chapter
34 1192, sections 47 and 48, or from any other services fund
35 moneys available to the county. The rebate must be remitted

1 to the department on or before June 1, 2011, in order to be
2 counted. The amount rebated by a county shall be subtracted
3 dollar-for-dollar from the county's ending balance amount
4 for the fiscal year beginning July 1, 2009, for purposes of
5 calculating the withholding factor and for other ending balance
6 purposes for the fiscal year beginning July 1, 2011. The
7 rebates received by the department shall be credited to the
8 property tax relief fund and distributed as additional funding
9 for the fiscal year beginning July 1, 2011, in accordance with
10 the formula provisions in this section.

11 d. The withholding factor for a county shall be the
12 following applicable percent:

13 (1) For an ending balance percentage of less than 5
14 percent, a withholding factor of 0 percent. In addition,
15 a county that is subject to this lettered paragraph shall
16 receive an inflation adjustment equal to 3 percent of the gross
17 expenditures reported for the county's services fund for the
18 fiscal year.

19 (2) For an ending balance percentage of 5 percent or more
20 but less than 10 percent, a withholding factor of 0 percent.
21 In addition, a county that is subject to this lettered
22 paragraph shall receive an inflation adjustment equal to 2
23 percent of the gross expenditures reported for the county's
24 services fund for the fiscal year.

25 (3) For an ending balance percentage of 10 percent or more
26 but less than 25 percent, a withholding factor of 25 percent.
27 However, for counties with an ending balance percentage of 10
28 percent or more but less than 15 percent, the amount withheld
29 shall be limited to the amount by which the county's ending
30 balance was in excess of the ending balance percentage of 10
31 percent.

32 (4) For an ending balance percentage of 25 percent or more,
33 a withholding percentage of 100 percent.

34 NEW SUBSECTION. 8. The total withholding amounts applied
35 pursuant to subsection 7 shall be equal to a withholding target

1 amount of \$13,075,453. If the department of human services
2 determines that the amount appropriated is insufficient or
3 the amount to be withheld in accordance with subsection 7 is
4 not equal to the target withholding amount, the department
5 shall adjust the withholding factors listed in subsection 7 as
6 necessary to achieve the target withholding amount. However,
7 in making such adjustments to the withholding factors, the
8 department shall strive to minimize changes to the withholding
9 factors for those ending balance percentage ranges that are
10 lower than others and shall only adjust the zero withholding
11 factor or the inflation adjustment percentages specified in
12 subsection 7, paragraph "d", when the amount appropriated is
13 insufficient.

14 DIVISION VII

15 PRIOR APPROPRIATIONS AND RELATED CHANGES

16 VIETNAM CONFLICT VETERANS BONUS

17 Sec. 45. Section 35A.8A, subsection 2, paragraph d, Code
18 2011, is amended to read as follows:

19 *d.* The person files an application for compensation under
20 this section, in a manner determined by the department of
21 veterans affairs, by ~~July 1, 2010~~ May 1, 2011.

22 Sec. 46. NEW SECTION. **16.185 Community housing for persons**
23 **with disabilities revolving loan program fund.**

24 1. A community housing for persons with disabilities loan
25 program fund is created within the authority to further the
26 availability of affordable housing for Medicaid waiver-eligible
27 individuals with behaviors that provide significant barriers to
28 accessing traditional rental opportunities. The moneys in the
29 fund are annually appropriated to the authority to be used for
30 the development and operation of a revolving loan program to
31 provide financing to construct affordable permanent supportive
32 housing, including through new construction, acquisition and
33 rehabilitation of existing housing, or conversion or adaptive
34 reuse.

35 2. Moneys transferred by the authority for deposit in the

1 community housing for persons with disabilities revolving loan
2 program fund, moneys appropriated to the community housing
3 for persons with disabilities revolving loan program, and any
4 other moneys available to and obtained or accepted by the
5 authority for placement in the fund shall be credited to the
6 fund. Additionally, payment of interest, recaptures of awards,
7 and other repayments to the community housing for persons with
8 disabilities revolving loan program fund shall be credited
9 to the fund. Notwithstanding section 12C.7, subsection 2,
10 interest or earnings on moneys in the community housing for
11 persons with disabilities revolving loan program fund shall be
12 credited to the fund. Notwithstanding section 8.33, moneys
13 credited to the fund that remain unencumbered or unobligated
14 at the close of the fiscal year shall not revert to any other
15 fund.

16 3. The authority shall annually allocate moneys available
17 in the community housing for persons with disabilities
18 revolving loan program fund for the development of permanent
19 supportive housing for Medicaid waiver-eligible individuals.
20 The authority shall develop a joint application process for the
21 allocation of United States housing and urban development HOME
22 investment partnerships program funding and the funds available
23 under this section. Moneys allocated to such projects may be
24 in the form of loans, forgivable loans, or a combination of
25 loans and forgivable loans.

26 4. a. A project shall demonstrate written approval of the
27 project by the department of human services to the authority
28 prior to application for funding under this section.

29 b. In order to be approved by the department of human
30 services for application for funding under this section, a
31 project shall include all of the following components:

32 (1) Provision of services to any of the following Medicaid
33 waiver-eligible individuals:

34 (a) Individuals who are currently underserved in community
35 placements, including individuals who are physically aggressive

1 or have behaviors that are difficult to manage.

2 (b) Individuals who are currently residing in out-of-state
3 facilities.

4 (c) Individuals who are currently receiving care in a
5 licensed health care facility.

6 (2) A plan to provide each individual with crisis
7 stabilization services to ensure that the individual's
8 behavioral issues are appropriately addressed by the provider.

9 (3) Policies and procedures that prohibit discharge of the
10 individual from the waiver services provided by the project
11 provider unless an alternative placement that is acceptable to
12 the client or client's guardian is identified.

13 c. Housing provided through a project under this section is
14 exempt from the requirements of chapter 1350.

15 5. The authority, in collaboration with the department of
16 human services, shall adopt rules pursuant to chapter 17 to
17 administer this section.

18 VIETNAM CONFLICT VETERANS

19 BONUS FUND

20 Sec. 47. 2008 Iowa Acts, chapter 1187, section 68, as
21 amended by 2009 Iowa Acts, chapter 182, section 82, and 2010
22 Iowa Acts, chapter 1192, section 55, is amended to read as
23 follows:

24 Notwithstanding section 8.33, moneys appropriated in this
25 section that remain unencumbered or unobligated at the close of
26 the fiscal year shall not revert but shall remain available for
27 expenditure for the purposes designated until the ~~close of the~~
28 ~~fiscal year beginning July 1, 2010~~ repeal of section 35A.8A.
29 Upon such repeal, the remaining moneys shall be transferred to
30 the veterans trust fund and, notwithstanding section 35A.13,
31 subsection 3, shall only be expended in accordance with an
32 appropriation for purposes of a bonus enacted for veterans of
33 the conflicts in Panama, Grenada, or the Persian Gulf.

34 COMMUNITY HOUSING REVOLVING LOAN PROGRAM

35 INJURED VETERANS GRANT PROGRAM

1 Sec. 48. 2008 Iowa Acts, chapter 1187, section 69,
2 unnumbered paragraph 1, as amended by 2009 Iowa Acts, chapter
3 182, section 83, and 2010 Iowa Acts, chapter 1192, section 56,
4 is amended to read as follows:

5 Notwithstanding section 8.33, moneys appropriated in this
6 subsection that remain unencumbered or unobligated at the close
7 of the fiscal year shall not revert but shall remain available
8 for expenditure for the purposes designated until the close of
9 the fiscal year beginning July 1, ~~2010~~ 2011.

10 BEHAVIORAL HEALTH SERVICES
11 ACCOUNT — MEDICAL ASSISTANCE

12 Sec. 49. 2009 Iowa Acts, chapter 182, section 9, subsection
13 16, paragraph b, as amended by 2010 Iowa Acts, chapter 1192,
14 section 63, is amended to read as follows:

15 b. The department shall continue to maintain a separate
16 account within the medical assistance budget for the deposit
17 of all funds remitted pursuant to a contract with a third
18 party to administer behavioral health services under the
19 medical assistance program established pursuant to 2008 Iowa
20 Acts, chapter 1187, section 9, subsection 20. Notwithstanding
21 section 8.33, other than funds remaining from the appropriation
22 allocations made for implementation of the emergency mental
23 health crisis services and system, for implementation of the
24 mental health services system for children and youth, and for
25 training of child welfare services providers in 2008 Iowa
26 Acts, chapter 1187, section 9, subsection 20, paragraph "c",
27 subparagraphs (1), (2), and (6), as authorized in 2009 Iowa
28 Acts, chapter 182, section 72, funds remaining in the account
29 that remain unencumbered or unobligated at the end of the
30 fiscal year shall not revert but shall remain available in
31 succeeding fiscal years ~~and are appropriated to the department~~
32 ~~to be used for the medical assistance program to be used~~
33 for purposes of crisis stabilization and other mental and
34 behavioral health service improvements.

1 AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 — ALLOCATION
2 FOR INFANT AND TODDLER CARE QUALITY

3 Sec. 50. 2009 Iowa Acts, chapter 183, section 62, subsection
4 3, is amended to read as follows:

5 3. For the purposes of this subsection, "federal poverty
6 level" means the poverty level defined by the most recently
7 revised poverty income guidelines published by the United
8 States department of health and human services. The program
9 shall provide financial assistance to families with infants
10 and toddlers less than thirty-six months of age ~~two~~ that have
11 a family income of more than 145 percent but not more than 185
12 percent of the federal poverty level. However, the department
13 may adjust the qualifying criteria or the financial assistance
14 purpose provisions specified in this subsection or make other
15 changes as necessary for implementation to conform with federal
16 requirements for the funding. Outcome reporting and other
17 grant requirements shall be developed by the department in
18 cooperation with the Iowa empowerment board.

19 Sec. 51. 2009 Iowa Acts, chapter 183, section 62, subsection
20 4, paragraph b, is amended to read as follows:

21 b. For providing sliding scale subsidies for qualifying
22 families for child care provided to the families' infants
23 and toddlers by providers who are accredited by the national
24 association for the education of young children or the national
25 association for family child care, or who have a rating at
26 level ~~3~~ 2 or higher under the child care quality rating system
27 implemented pursuant to section 237A.30.

28 CHILD WELFARE DECATEGORIZATION

29 FY 2009-2010 NONREVERSION

30 Sec. 52. 2009 Iowa Acts, chapter 182, section 14, subsection
31 5, is amended by adding the following new unnumbered paragraph:

32 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
33 232.188, subsection 5, moneys from the allocations made
34 in this subsection or made from any other source for the
35 decategorization of child welfare and juvenile justice funding

1 initiative under section 232.188 for the fiscal year beginning
2 July 1, 2009, that are designated as carryover funding that
3 remain unencumbered or unobligated at the close of the fiscal
4 year beginning July 1, 2010, shall not revert but shall
5 be transferred to the community housing for persons with
6 disabilities revolving loan program fund created in section
7 16.185, as enacted by this division of this Act.

8 IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

9 Sec. 53. 2010 Iowa Acts, chapter 1192, section 1, subsection
10 2, is amended to read as follows:

11 2. a. Of the funds appropriated in this section, \$1,246,514
12 shall be transferred to the department of human services in
13 equal amounts on a quarterly basis for reimbursement of case
14 management services provided under the medical assistance
15 elderly waiver. The department of human services shall adopt
16 rules for case management services provided under the medical
17 assistance elderly waiver in consultation with the department
18 on aging.

19 ~~b. The department of human services shall review~~
20 ~~projections for state funding expenditures for reimbursement~~
21 ~~of case management services under the medical assistance~~
22 ~~elderly waiver on a quarterly basis and shall determine if an~~
23 ~~adjustment to the medical assistance reimbursement rates are~~
24 ~~necessary to provide reimbursement within the state funding~~
25 ~~amounts budgeted under the appropriations made for the fiscal~~
26 ~~year for the medical assistance program. Any temporary~~
27 ~~enhanced federal financial participation that may become~~
28 ~~available for the medical assistance program during the fiscal~~
29 ~~year shall not be used in projecting the medical assistance~~
30 ~~elderly waiver case management budget. The department of human~~
31 ~~services shall revise such reimbursement rates as necessary to~~
32 ~~maintain expenditures for medical assistance elderly waiver~~
33 ~~case management services within the state funding amounts~~
34 ~~budgeted under the appropriations made for the fiscal year for~~
35 ~~the medical assistance program.~~

IOWA VETERANS HOME

1
2 Sec. 54. 2010 Iowa Acts, chapter 1192, section 3, subsection
3 2, is amended by adding the following new paragraph:

4 NEW PARAGRAPH. d. The funds appropriated in this subsection
5 to the Iowa veterans home that remain available for expenditure
6 for the succeeding fiscal year pursuant to section 35D.18,
7 subsection 5, shall be distributed to be used in the succeeding
8 fiscal year in accordance with this lettered paragraph. The
9 first \$500,000 shall remain available to be used for the
10 purposes of the Iowa veterans home. On or before October 15,
11 2011, the department of management shall transfer the remaining
12 balance to the appropriation to the department of human
13 services for medical assistance.

14 MEDICAL ASSISTANCE PROGRAM

15 Sec. 55. 2010 Iowa Acts, chapter 1192, section 11, is
16 amended by adding the following new subsection:

17 NEW SUBSECTION. 25. The department may increase the amounts
18 allocated for salaries, support, maintenance, and miscellaneous
19 purposes associated with the medical assistance program as
20 necessary to implement cost containment efforts in order to
21 accomplish medical assistance program savings. These amounts
22 may be transferred to the appropriation made in this division
23 of this Act for the health insurance premium payment program.

24 STATE SUPPLEMENTARY ASSISTANCE PROGRAM

25 Sec. 56. 2010 Iowa Acts, chapter 1192, section 14, is
26 amended by adding the following new subsection:

27 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
28 appropriated in this section that remain unencumbered or
29 unobligated at the close of the fiscal year shall remain
30 available for expenditure for the purposes designated until the
31 close of the succeeding fiscal year.

32 ADOPTION SUBSIDY TRANSFER

33 Sec. 57. 2010 Iowa Acts, chapter 1192, section 20, is
34 amended by adding the following new subsection:

35 NEW SUBSECTION. 4. Of the funds appropriated in this

1 section, \$60,000 shall be transferred to the appropriation
2 made in this division of this Act for the state mental health
3 institute at Cherokee to be used for childrens' beds at the
4 institute.

5 IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

6 Sec. 58. 2010 Iowa Acts, chapter 1192, section 37,
7 subsection 1, is amended to read as follows:

8 1. a. Of the funds appropriated in this section, \$1,010,000
9 shall be transferred to the department of human services in
10 equal amounts on a quarterly basis for reimbursement of case
11 management services provided under the medical assistance
12 elderly waiver.

13 ~~b. The department of human services shall review~~
14 ~~projections for state funding expenditures for reimbursement~~
15 ~~of case management services under the medical assistance~~
16 ~~elderly waiver on a quarterly basis and shall determine if an~~
17 ~~adjustment to the medical assistance reimbursement rates are~~
18 ~~necessary to provide reimbursement within the state funding~~
19 ~~amounts budgeted under the appropriations made for the fiscal~~
20 ~~year for the medical assistance program. Any temporary~~
21 ~~enhanced federal financial participation that may become~~
22 ~~available for the medical assistance program during the fiscal~~
23 ~~year shall not be used in projecting the medical assistance~~
24 ~~elderly waiver case management budget. The department of human~~
25 ~~services shall revise such reimbursement rates as necessary to~~
26 ~~maintain expenditures for medical assistance elderly waiver~~
27 ~~case management services within the state funding amounts~~
28 ~~budgeted under the appropriations made for the fiscal year for~~
29 ~~the medical assistance program.~~

30 Sec. 59. 2010 Iowa Acts, chapter 1192, section 44, is
31 amended to read as follows:

32 SEC. 44. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
33 SERVICES. Notwithstanding any provision to the contrary and
34 subject to the availability of funds, there is appropriated
35 from the quality assurance trust fund created in section

1 249L.4 to the department of human services for the fiscal year
2 beginning July 1, 2010, and ending June 30, 2011, the following
3 amounts, or so much thereof as is necessary for the purposes
4 designated:

5 To supplement the appropriation made in this Act from the
6 general fund of the state to the department of human services
7 for medical assistance:

8 \$ ~~13,900,000~~
9 33,708,458

10 1. Of the funds appropriated in this section, \$7,500,000
11 shall be used for nursing facility reimbursement under the
12 medical assistance program in accordance with the nursing
13 facility reimbursement provisions of division IV of this
14 Act, to continue application of the administrative rules
15 changes relating to nursing facility reimbursement and payment
16 procedures made pursuant to 2010 Iowa Acts, Senate File 2366,
17 if enacted, for the fiscal year beginning July 1, 2010, and
18 ending June 30, 2011, and to restore the 5 percent reduction
19 made in nursing facility reimbursement in accordance with
20 executive order number 19 issued October 8, 2009.

21 2. The costs associated with the implementation of this
22 section shall be funded exclusively through moneys appropriated
23 from the quality assurance trust fund, and shall result in
24 budget neutrality to the general fund of the state for the
25 fiscal year beginning July 1, 2010, and ending June 30, 2011.

26 MERCHANT MARINE BONUS FUND TRANSFER

27 Sec. 60. DEPARTMENT OF CULTURAL AFFAIRS — MERCHANT MARINE
28 BONUS FUND.

29 1. The appropriation made from the merchant marine bonus
30 fund to the department of cultural affairs for the fiscal year
31 beginning July 1, 2010, and ending June 30, 2011, in 2010 Iowa
32 Acts, chapter 1193, section 82, shall be transferred on the
33 effective date of this section to the department of veterans
34 affairs to be used for departmental costs.

35 2. Moneys transferred pursuant to this section that remain

1 unencumbered or unobligated at the close of the fiscal year
2 shall be credited to the veterans trust fund created in section
3 35A.13.

4 Sec. 61. FAMILY PLANNING WAIVER AND MAINTENANCE OF
5 EFFORT. Notwithstanding 2010 Iowa Acts, chapter 1192, section
6 11, subsection 24, the department of human services shall
7 not amend the medical assistance waiver for the Iowa family
8 planning network in accordance with that provision, but shall
9 instead continue the Iowa family planning waiver in effect
10 prior to June 30, 2011, and shall only amend the waiver to
11 increase the income eligibility percentage above the percentage
12 provided in the waiver in effect if necessary and only by the
13 minimum percentage required to comply with maintenance of
14 effort requirements.

15 Sec. 62. DECATEGORYIZATION PROJECT FUNDING. For the
16 period beginning June 1, 2010, and ending June 30, 2012, a
17 child welfare and juvenile justice funding decategoryization
18 initiative project that is incorporated and owns real property
19 may utilize project funding to purchase liability insurance.

20 Sec. 63. ACCOUNTABLE CARE ORGANIZATION — PILOT.

21 1. a. If an entity applies for certification from the
22 secretary of the United States department of health and
23 human services prior to January 1, 2012, and is subsequently
24 certified to administer an accountable care organization
25 pilot project, pursuant to the federal Patient Protection and
26 Accountability Act, Pub. L. No. 111-148, the department of
27 human services shall work with the entity to provide access to
28 the complete deidentified claims data of the medical assistance
29 recipients receiving health care services through the pilot
30 project for the purposes of identifying areas of utilization,
31 need, and potential cost savings to the medical assistance
32 program subject to all applicable state and federal laws and
33 regulations. The department may also employ new payment
34 models, information technology, and data analytics provisions
35 necessary to the administration of the pilot project.

1 b. The department of human services shall work with an
2 entity to administer an accountable care organization pilot
3 project, only if the centers for Medicare and Medicaid services
4 of the United States department of health and human services
5 approves participation of the medical assistance program in
6 the pilot project and the entity meets all of the following
7 requirements:

8 (1) At a minimum, includes the participation of a
9 prospective payment system hospital, ten primary care
10 physicians, a home health care practice, a palliative care
11 services, a hospice service, and a community mental health
12 center, all of which agree to be paid under a partial or global
13 payment for identified services.

14 (2) Requires all participating providers to utilize
15 electronic health records.

16 (3) Includes delivery of mental health services to
17 recipients of medical assistance through collaboration with
18 the regional community mental health center, a federally
19 qualified health center, and at least one nursing facility as
20 consistent with any other law enacted by the Eighty-fourth
21 general assembly, 2011 session, that redesigns the mental
22 health delivery system in the state.

23 c. The entity certified to implement the pilot project shall
24 report to the joint appropriations subcommittee for health and
25 human services during the 2012 legislative session detailing
26 the progress and expected outcomes of the pilot project.

27 Sec. 64. EFFECTIVE UPON ENACTMENT. This division of this
28 Act, being deemed of immediate importance, takes effect upon
29 enactment.

30 Sec. 65. RETROACTIVE APPLICABILITY. The section of this
31 division of this Act addressing child welfare and juvenile
32 justice funding decategorization initiative project funding for
33 the period beginning June 1, 2010, and ending June 30, 2012,
34 applies retroactively to June 1, 2010.

35 Sec. 66. RETROACTIVE APPLICABILITY. The section of

1 this division of this Act amending section 35A.8A, applies
2 retroactively to July 1, 2010.

3 DIVISION VIII

4 PREVENTION AND CHRONIC CARE MANAGEMENT

5 Sec. 67. Section 135.159, subsection 10, Code 2011, is
6 amended to read as follows:

7 10. The department shall integrate the recommendations
8 and policies developed by ~~the prevention and chronic care~~
9 ~~management advisory council~~ pursuant to section 135.161, Code
10 2011, into the medical home system and shall incorporate the
11 development and implementation of the state initiative for
12 prevention and chronic care management as developed pursuant to
13 section 135.161, Code 2011, into the duties of the medical home
14 system advisory council beginning January 1, 2012.

15 Sec. 68. Section 135.162, subsections 1 and 3, Code 2011,
16 are amended to read as follows:

17 1. The director shall convene a clinicians advisory panel to
18 advise and recommend to the department clinically appropriate,
19 evidence-based best practices regarding the implementation
20 of the medical home as defined in section 135.157 ~~and the~~
21 ~~prevention and chronic care management initiative pursuant to~~
22 ~~section 135.161~~. The director shall act as chairperson of the
23 advisory panel.

24 3. The clinicians advisory panel shall meet on a quarterly
25 basis to receive updates from the director regarding strategic
26 planning and implementation progress on the medical home ~~and~~
27 ~~the prevention and chronic care management initiative~~ and shall
28 provide clinical consultation to the department regarding the
29 medical home ~~and the initiative~~.

30 Sec. 69. Section 136.3, subsection 14, Code 2011, is amended
31 to read as follows:

32 14. Perform those duties authorized pursuant to sections
33 135.156, and 135.159, ~~and 135.161~~, and other provisions of law.

34 Sec. 70. REPEAL. Section 135.161, Code 2011, is repealed.

35 Sec. 71. EFFECTIVE DATE. This division of this Act takes

1 effect December 31, 2011.

2 DIVISION IX
3 MISCELLANEOUS

4 Sec. 72. Section 147.136, Code 2011, is amended to read as
5 follows:

6 **147.136 Scope of recovery.**

7 1. In Except as otherwise provided in subsection 2, in an
8 action for damages for personal injury against a physician and
9 surgeon, osteopathic physician and surgeon, dentist, podiatric
10 physician, optometrist, pharmacist, chiropractor, or nurse
11 licensed to practice that profession in this state, or against
12 a hospital licensed for operation in this state, based on the
13 alleged negligence of the practitioner in the practice of the
14 profession or occupation, or upon the alleged negligence of
15 the hospital in patient care, in which liability is admitted
16 or established, the damages awarded shall not include actual
17 economic losses incurred or to be incurred in the future by the
18 claimant by reason of the personal injury, including but not
19 limited to, the cost of reasonable and necessary medical care,
20 rehabilitation services, and custodial care, and the loss of
21 services and loss of earned income, to the extent that those
22 losses are replaced or are indemnified by insurance, or by
23 governmental, employment, or service benefit programs or from
24 any other source except the assets of the claimant or of the
25 members of the claimant's immediate family.

26 2. This section shall not bar recovery of economic losses
27 replaced or indemnified by any of the following:

28 a. Benefits received under the medical assistance program
29 under chapter 249A.

30 b. The assets of the claimant or of the members of the
31 claimant's immediate family.

32 Sec. 73. Section 232.188, subsection 5, paragraph b,
33 unnumbered paragraph 1, Code 2011, is amended to read as
34 follows:

35 Notwithstanding section 8.33, moneys designated for a

1 project's decategorization services funding pool that remain
2 unencumbered or unobligated at the close of the fiscal year
3 shall not revert but shall remain available for expenditure as
4 directed by the project's governance board for child welfare
5 and juvenile justice systems enhancements and other purposes of
6 the project ~~until the close of the succeeding fiscal year and~~
7 for the next two succeeding fiscal years. Such moneys shall be
8 known as "*carryover funding*". Moneys may be made available to a
9 funding pool from one or more of the following sources:

10 Sec. 74. Section 514I.5, subsection 8, paragraph h, Code
11 2011, is amended to read as follows:

12 *h.* The amount of any cost sharing under the program which
13 shall be assessed based on family income and which complies
14 with federal law. The rules shall establish for children of
15 families with incomes exceeding two hundred percent but not
16 exceeding three hundred percent of the federal poverty level,
17 family cost-sharing amounts, and graduated premiums based on a
18 rationally developed sliding fee schedule, in accordance with
19 federal law.

20 Sec. 75. REPEAL. Section 135.27A, Code 2011, is repealed
21 December 31, 2011.

22 DIVISION X

23 DEPARTMENT ON AGING — FY 2012-2013

24 Sec. 76. DEPARTMENT ON AGING. There is appropriated from
25 the general fund of the state to the department on aging for
26 the fiscal year beginning July 1, 2012, and ending June 30,
27 2013, the following amount, or so much thereof as is necessary,
28 to be used for the purposes designated:

29 For aging programs for the department on aging and area
30 agencies on aging to provide citizens of Iowa who are 60 years
31 of age and older with case management for frail elders, Iowa's
32 aging and disabilities resource center, and other services
33 which may include but are not limited to adult day services,
34 respite care, chore services, information and assistance,
35 and material aid, for information and options counseling for

1 persons with disabilities who are 18 years of age or older,
2 and for salaries, support, administration, maintenance, and
3 miscellaneous purposes, and for not more than the following
4 full-time equivalent positions:

5 \$ 9,852,577
6 FTEs 35.00

7 1. Funds appropriated in this section may be used to
8 supplement federal funds under federal regulations. To
9 receive funds appropriated in this section, a local area
10 agency on aging shall match the funds with moneys from other
11 sources according to rules adopted by the department. Funds
12 appropriated in this section may be used for elderly services
13 not specifically enumerated in this section only if approved
14 by an area agency on aging for provision of the service within
15 the area.

16 2. Of the funds appropriated in this section, \$179,946 shall
17 be transferred to the department of economic development for
18 the Iowa commission on volunteer services to be used for the
19 retired and senior volunteer program.

20 3. a. The department on aging shall establish and enforce
21 procedures relating to expenditure of state and federal funds
22 by area agencies on aging that require compliance with both
23 state and federal laws, rules, and regulations, including but
24 not limited to all of the following:

25 (1) Requiring that expenditures are incurred only for goods
26 or services received or performed prior to the end of the
27 fiscal period designated for use of the funds.

28 (2) Prohibiting prepayment for goods or services not
29 received or performed prior to the end of the fiscal period
30 designated for use of the funds.

31 (3) Prohibiting the prepayment for goods or services
32 not defined specifically by good or service, time period, or
33 recipient.

34 (4) Prohibiting the establishment of accounts from which
35 future goods or services which are not defined specifically by

1 good or service, time period, or recipient, may be purchased.

2 b. The procedures shall provide that if any funds are
3 expended in a manner that is not in compliance with the
4 procedures and applicable federal and state laws, rules, and
5 regulations, and are subsequently subject to repayment, the
6 area agency on aging expending such funds in contravention of
7 such procedures, laws, rules and regulations, not the state,
8 shall be liable for such repayment.

9 DIVISION XI

10 DEPARTMENT OF PUBLIC HEALTH — FY 2012-2013

11 Sec. 77. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
12 from the general fund of the state to the department of public
13 health for the fiscal year beginning July 1, 2012, and ending
14 June 30, 2013, the following amounts, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 1. ADDICTIVE DISORDERS

17 For reducing the prevalence of use of tobacco, alcohol, and
18 other drugs, and treating individuals affected by addictive
19 behaviors, including gambling, and for not more than the
20 following full-time equivalent positions:

21	\$ 20,703,190
22	FTEs 13.00

23 a. (1) Of the funds appropriated in this subsection,
24 \$453,830 shall be transferred to the alcoholic beverages
25 division of the department of commerce for enforcement of
26 tobacco laws, regulations, and ordinances in accordance with
27 2011 Iowa Acts, House File 467, if enacted.

28 (2) Implementation of the tobacco use prevention and
29 control initiative for the fiscal year beginning July 1, 2012,
30 including efforts at the state and local levels, as provided
31 in chapter 142A, shall be limited to the extent of the funding
32 available.

33 b. Of the funds appropriated in this subsection,
34 \$20,249,360 shall be used for problem gambling and substance
35 abuse prevention, treatment, and recovery services, including a

1 24-hour helpline, public information resources, professional
2 training, and program evaluation.

3 (1) Of the funds allocated in this paragraph "b",
4 \$17,132,508 shall be used for substance abuse prevention and
5 treatment.

6 (a) Of the funds allocated in this subparagraph (1),
7 \$899,300 shall be used for the public purpose of a grant
8 program to provide substance abuse prevention programming for
9 children.

10 (i) Of the funds allocated in this subparagraph division
11 (a), \$427,539 shall be used for grant funding for organizations
12 that provide programming for children by utilizing mentors.
13 Programs approved for such grants shall be certified or will
14 be certified within six months of receiving the grant award
15 by the Iowa commission on volunteer services as utilizing the
16 standards for effective practice for mentoring programs.

17 (ii) Of the funds allocated in this subparagraph division
18 (a), \$426,839 shall be used for grant funding for organizations
19 that provide programming that includes youth development and
20 leadership. The programs shall also be recognized as being
21 programs that are scientifically based with evidence of their
22 effectiveness in reducing substance abuse in children.

23 (iii) The department of public health shall utilize a
24 request for proposals process to implement the grant program.

25 (iv) All grant recipients shall participate in a program
26 evaluation as a requirement for receiving grant funds.

27 (v) Of the funds allocated in this subparagraph subpart
28 (a), up to \$44,922 may be used to administer substance abuse
29 prevention grants and for program evaluations.

30 (b) Of the funds allocated in this subparagraph (1),
31 \$273,062 shall be used for culturally competent substance abuse
32 treatment pilot projects.

33 (i) The department shall utilize the amount allocated in
34 this subparagraph subpart (b) for at least three pilot projects
35 to provide culturally competent substance abuse treatment in

1 various areas of the state. Each pilot project shall target
2 a particular ethnic minority population. The populations
3 targeted shall include but are not limited to African American,
4 Asian, and Latino.

5 (ii) The pilot project requirements shall provide for
6 documentation or other means to ensure access to the cultural
7 competence approach used by a pilot project so that such
8 approach can be replicated and improved upon in successor
9 programs.

10 (2) Of the funds allocated in this paragraph "b", up
11 to \$3,116,852 may be used for problem gambling prevention,
12 treatment, and recovery services.

13 (a) Of the funds allocated in this subparagraph (2),
14 \$2,579,000 shall be used for problem gambling prevention and
15 treatment.

16 (b) Of the funds allocated in this subparagraph (2), up to
17 \$437,852 may be used for a 24-hour helpline, public information
18 resources, professional training, and program evaluation.

19 (c) Of the funds allocated in this subparagraph (2), up
20 to \$100,000 may be used for the licensing of problem gambling
21 treatment programs.

22 (3) It is the intent of the general assembly that from the
23 moneys allocated in this paragraph "b", persons with a dual
24 diagnosis of substance abuse and gambling addictions shall be
25 given priority in treatment services.

26 c. Notwithstanding any provision of law to the contrary,
27 to standardize the availability, delivery, cost of delivery,
28 and accountability of problem gambling and substance abuse
29 treatment services statewide, the department shall continue
30 implementation of a process to create a system for delivery
31 of treatment services in accordance with the requirements
32 specified in 2008 Iowa Acts, chapter 1187, section 3,
33 subsection 4. To ensure the system provides a continuum of
34 treatment services that best meets the needs of Iowans, the
35 problem gambling and substance abuse treatment services in any

1 area may be provided either by a single agency or by separate
2 agencies submitting a joint proposal.

3 (1) The system for delivery of substance abuse and
4 problem gambling treatment shall include problem gambling
5 prevention by July 1, 2012. The department shall submit a
6 proposed legislative bill in accordance with section 2.16, for
7 consideration during the 2012 legislative session, addressing
8 any statutory revisions necessary for full implementation of
9 the system.

10 (2) The system for delivery of substance abuse and problem
11 gambling treatment shall include substance abuse prevention by
12 July 1, 2014.

13 (3) Of the funds allocated in paragraph "b", the department
14 may use up to \$100,000 for administrative costs to continue
15 developing and implementing the process in accordance with this
16 paragraph "c".

17 d. The requirement of section 123.53, subsection 5, is met
18 by the appropriations and allocations made in this Act for
19 purposes of substance abuse treatment and addictive disorders
20 for the fiscal year beginning July 1, 2011.

21 e. The department of public health shall work with all other
22 departments that fund substance abuse prevention and treatment
23 services and all such departments shall, to the extent
24 necessary, collectively meet the state maintenance of effort
25 requirements for expenditures for substance abuse services
26 as required under the federal substance abuse prevention and
27 treatment block grant.

28 f. The department shall amend or otherwise revise
29 departmental policies and contract provisions in order to
30 eliminate free t-shirt distribution, banner production, and
31 other unnecessary promotional expenditures.

32 2. HEALTHY CHILDREN AND FAMILIES

33 For promoting the optimum health status for children,
34 adolescents from birth through 21 years of age, and families,
35 and for not more than the following full-time equivalent

1 positions:

2	\$	2,601,905
3	FTEs	10.00

4 a. Of the funds appropriated in this subsection, not more
5 than \$739,318 shall be used for the healthy opportunities to
6 experience success (HOPES)-healthy families Iowa (HFI) program
7 established pursuant to section 135.106. The funding shall
8 be distributed to renew the grants that were provided to the
9 grantees that operated the program during the fiscal year
10 ending June 30, 2012.

11 b. Of the funds appropriated in this subsection, \$287,520
12 shall be used to continue to address the healthy mental
13 development of children from birth through five years of age
14 through local evidence-based strategies that engage both the
15 public and private sectors in promoting healthy development,
16 prevention, and treatment for children.

17 c. Of the funds appropriated in this subsection, \$31,597
18 shall be distributed to a statewide dental carrier to provide
19 funds to continue the donated dental services program patterned
20 after the projects developed by the lifeline network to provide
21 dental services to indigent elderly and disabled individuals.

22 d. Of the funds appropriated in this subsection, \$112,677
23 shall be used for childhood obesity prevention.

24 e. Of the funds appropriated in this subsection, \$163,760
25 shall be used to provide audiological services and hearing
26 aids for children. The department may enter into a contract
27 to administer this paragraph.

28 f. Of the funds appropriated in this subsection, \$50,000
29 shall be used for a matching dental education loan repayment
30 program in conjunction with the primary care provider
31 recruitment and retention endeavor established in section
32 135.107. The department shall work with a dental nonprofit
33 health service corporation to develop the criteria for the loan
34 repayment program.

35 3. CHRONIC CONDITIONS

1 For serving individuals identified as having chronic
2 conditions or special health care needs, and for not more than
3 the following full-time equivalent positions:

4 \$ 3,262,256
5 FTEs 4.00

- 6 a. Of the funds appropriated in this subsection, \$136,808
7 shall be used for grants to individual patients who have
8 phenylketonuria (PKU) to assist with the costs of necessary
9 special foods.
- 10 b. Of the funds appropriated in this subsection, \$383,600
11 is allocated for continuation of the contracts for resource
12 facilitator services in accordance with section 135.22B,
13 subsection 9, and for brain injury training services and
14 recruiting of service providers to increase the capacity within
15 this state to address the needs of individuals with brain
16 injuries and such individuals' families.
- 17 c. Of the funds appropriated in this subsection, \$468,874
18 shall be used as additional funding to leverage federal funding
19 through the federal Ryan White Care Act, Tit. II, AIDS drug
20 assistance program supplemental drug treatment grants.
- 21 d. Of the funds appropriated in this subsection, \$31,254
22 shall be used for the public purpose of providing a grant to an
23 existing national-affiliated organization to provide education,
24 client-centered programs, and client and family support for
25 people living with epilepsy and their families.
- 26 e. Of the funds appropriated in this subsection, \$755,791
27 shall be used for child health specialty clinics.
- 28 f. Of the funds appropriated in this subsection, \$711,052
29 shall be used for the comprehensive cancer control program to
30 reduce the burden of cancer in Iowa through prevention, early
31 detection, effective treatment, and ensuring quality of life.
32 Of the funds allocated in this lettered paragraph, \$363,987
33 shall be used to support a melanoma research symposium, a
34 melanoma biorepository and registry, basic and translational
35 melanoma research, and clinical trials.

1 g. Of the funds appropriated in this subsection, \$126,450
2 shall be used for cervical and colon cancer screening.

3 h. Of the funds appropriated in this subsection, \$421,782
4 shall be used for the center for congenital and inherited
5 disorders.

6 i. Of the funds appropriated in this subsection, \$129,937
7 shall be used for the prescription drug donation repository
8 program created in chapter 135M.

9 4. COMMUNITY CAPACITY

10 For strengthening the health care delivery system at the
11 local level, and for not more than the following full-time
12 equivalent positions:

13	\$	3,677,659
14	FTEs	14.00

15 a. Of the funds appropriated in this subsection, \$100,000
16 is allocated for a child vision screening program implemented
17 through the university of Iowa hospitals and clinics in
18 collaboration with early childhood Iowa areas.

19 b. Of the funds appropriated in this subsection, \$111,308 is
20 allocated for continuation of an initiative implemented at the
21 university of Iowa and \$100,493 is allocated for continuation
22 of an initiative at the state mental health institute at
23 Cherokee to expand and improve the workforce engaged in
24 mental health treatment and services. The initiatives shall
25 receive input from the university of Iowa, the department
26 of human services, the department of public health, and the
27 mental health, mental retardation, developmental disabilities,
28 and brain injury commission to address the focus of the
29 initiatives.

30 c. Of the funds appropriated in this subsection, \$1,171,491
31 shall be used for essential public health services that promote
32 healthy aging throughout the lifespan, contracted through a
33 formula for local boards of health, to enhance health promotion
34 and disease prevention services.

35 d. Of the funds appropriated in this section, \$121,817 shall

1 be deposited in the governmental public health system fund
2 created in section 135A.8 to be used for the purposes of the
3 fund.

4 e. Of the funds appropriated in this subsection, \$106,279
5 shall be used for the mental health professional shortage area
6 program implemented pursuant to section 135.80.

7 f. Of the funds appropriated in this subsection,
8 \$38,263 shall be used for a grant to a statewide association
9 of psychologists that is affiliated with the American
10 psychological association to be used for continuation of a
11 program to rotate intern psychologists in placements in urban
12 and rural mental health professional shortage areas, as defined
13 in section 135.80.

14 g. Of the funds appropriated in this subsection, the
15 following amounts shall be allocated to the Iowa collaborative
16 safety net provider network established pursuant to section
17 135.153 to be used for the purposes designated:

- 18 (1) For distribution to the Iowa-Nebraska primary
19 care association for statewide coordination of the Iowa
20 collaborative safety net provider network:
21 \$ 116,597
- 22 (2) For distribution to the local boards of health that
23 provide direct services for pilot programs in three counties to
24 assist patients in determining an appropriate medical home:
25 \$ 68,332
- 26 (3) For distribution to maternal and child health centers
27 for pilot programs in three counties to assist patients in
28 determining an appropriate medical home:
29 \$ 68,332
- 30 (4) For distribution to free clinics for necessary
31 infrastructure, statewide coordination, provider recruitment,
32 service delivery, and provision of assistance to patients in
33 determining an appropriate medical home:
34 \$ 113,754
- 35 (5) For distribution to rural health clinics for necessary

1 infrastructure, statewide coordination, provider recruitment,
2 service delivery, and provision of assistance to patients in
3 determining an appropriate medical home:

4 \$ 101,264

5 (6) For continuation of the safety net provider patient
6 access to specialty health care initiative as described in 2007
7 Iowa Acts, chapter 218, section 109:

8 \$ 238,420

9 (7) For continuation of the pharmaceutical infrastructure
10 for safety net providers as described in 2007 Iowa Acts,
11 chapter 218, section 108:

12 \$ 247,590

13 The Iowa collaborative safety net provider network may
14 continue to distribute funds allocated pursuant to this
15 lettered paragraph through existing contracts or renewal of
16 existing contracts.

17 h. The department shall utilize funds received through
18 the grant by the United States department of health and human
19 services, health resources and services administration to
20 develop and pilot a training and credentialing model for direct
21 care professionals, to the extent allowable, to continue
22 implementation of the recommendations of the direct care worker
23 task force established pursuant to 2005 Iowa Acts, chapter 88,
24 based upon the report submitted to the governor and the general
25 assembly in December 2006.

26 i. The department may utilize one of the full-time
27 equivalent positions authorized in this subsection for
28 administration of the activities related to the Iowa
29 collaborative safety net provider network.

30 j. Of the funds appropriated in this subsection, the
31 department may use up to \$60,000 for up to one full-time
32 equivalent position to administer the volunteer health care
33 provider program pursuant to section 135.24.

34 5. HEALTHY AGING

35 To provide public health services that reduce risks and

1 invest in promoting and protecting good health over the
2 course of a lifetime with a priority given to older Iowans and
3 vulnerable populations:

4 \$ 7,297,142

5 a. Of the funds appropriated in this subsection, \$2,009,187
6 shall be used for local public health nursing services.

7 b. Of the funds appropriated in this subsection, \$5,287,955
8 shall be used for home care aide services.

9 6. ENVIRONMENTAL HAZARDS

10 For reducing the public's exposure to hazards in the
11 environment, primarily chemical hazards, and for not more than
12 the following full-time equivalent positions:

13 \$ 813,777

14 FTEs 4.00

15 Of the funds appropriated in this subsection, \$544,377 shall
16 be used for childhood lead poisoning provisions.

17 7. INFECTIOUS DISEASES

18 For reducing the incidence and prevalence of communicable
19 diseases, and for not more than the following full-time
20 equivalent positions:

21 \$ 1,345,847

22 FTEs 4.00

23 8. PUBLIC PROTECTION

24 For protecting the health and safety of the public through
25 establishing standards and enforcing regulations, and for not
26 more than the following full-time equivalent positions:

27 \$ 2,906,532

28 FTEs 125.00

29 a. Of the funds appropriated in this subsection, not more
30 than \$424,146 shall be credited to the emergency medical
31 services fund created in section 135.25. Moneys in the
32 emergency medical services fund are appropriated to the
33 department to be used for the purposes of the fund.

34 b. Of the funds appropriated in this subsection, \$210,619
35 shall be used for sexual violence prevention programming

1 through a statewide organization representing programs serving
2 victims of sexual violence through the department's sexual
3 violence prevention program. The amount allocated in this
4 lettered paragraph shall not be used to supplant funding
5 administered for other sexual violence prevention or victims
6 assistance programs.

7 c. Of the funds appropriated in this subsection, not more
8 than \$436,582 shall be used for the state poison control
9 center.

10 9. RESOURCE MANAGEMENT

11 For establishing and sustaining the overall ability of the
12 department to deliver services to the public, and for not more
13 than the following full-time equivalent positions:

14	\$	819,554
15	FTEs	7.00

16 The university of Iowa hospitals and clinics under the
17 control of the state board of regents shall not receive
18 indirect costs from the funds appropriated in this section.
19 The university of Iowa hospitals and clinics billings to the
20 department shall be on at least a quarterly basis.

21 DIVISION XII

22 DEPARTMENT OF VETERANS AFFAIRS — FY 2012-2013

23 Sec. 78. DEPARTMENT OF VETERANS AFFAIRS. There is
24 appropriated from the general fund of the state to the
25 department of veterans affairs for the fiscal year beginning
26 July 1, 2012, and ending June 30, 2013, the following amounts,
27 or so much thereof as is necessary, to be used for the purposes
28 designated:

29 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

30 For salaries, support, maintenance, and miscellaneous
31 purposes, including the war orphans educational assistance fund
32 created in section 35.8, and for not more than the following
33 full-time equivalent positions:

34	\$	998,832
35	FTEs	16.34

1 2. IOWA VETERANS HOME

2 For salaries, support, maintenance, and miscellaneous
3 purposes:

4 \$ 9,952,151

5 a. The Iowa veterans home billings involving the department
6 of human services shall be submitted to the department on at
7 least a monthly basis.

8 b. If there is a change in the employer of employees
9 providing services at the Iowa veterans home under a collective
10 bargaining agreement, such employees and the agreement shall
11 be continued by the successor employer as though there had not
12 been a change in employer.

13 c. Within available resources and in conformance with
14 associated state and federal program eligibility requirements,
15 the Iowa veterans home may implement measures to provide
16 financial assistance to or on behalf of veterans or their
17 spouses participating in the community reentry program.

18 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED
19 VETERANS

20 For provision of educational assistance pursuant to section
21 35.9:

22 \$ 12,416

23 Sec. 79. LIMITATION OF COUNTY COMMISSION OF VETERANS
24 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
25 standing appropriation in the following designated section for
26 the fiscal year beginning July 1, 2012, and ending June 30,
27 2013, the amounts appropriated from the general fund of the
28 state pursuant to that section for the following designated
29 purposes shall not exceed the following amount:

30 For the county commissions of veterans affairs fund under
31 section 35A.16:

32 \$ 990,000

33 DIVISION XIII

34 DEPARTMENT OF HUMAN SERVICES — FY 2012-2013

35 Sec. 80. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

1 GRANT. There is appropriated from the fund created in section
2 8.41 to the department of human services for the fiscal year
3 beginning July 1, 2012, and ending June 30, 2013, from moneys
4 received under the federal temporary assistance for needy
5 families (TANF) block grant pursuant to the federal Personal
6 Responsibility and Work Opportunity Reconciliation Act of 1996,
7 Pub. L. No. 104-193, and successor legislation, and from moneys
8 received under the emergency contingency fund for temporary
9 assistance for needy families state program established
10 pursuant to the federal American Recovery and Reinvestment Act
11 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
12 the following amounts, or so much thereof as is necessary, to
13 be used for the purposes designated:

14 1. To be credited to the family investment program account
15 and used for assistance under the family investment program
16 under chapter 239B:
17 \$ 21,500,738

18 2. To be credited to the family investment program account
19 and used for the job opportunities and basic skills (JOBS)
20 program and implementing family investment agreements in
21 accordance with chapter 239B:
22 \$ 12,411,528

23 3. To be used for the family development and
24 self-sufficiency grant program in accordance with section
25 216A.107:
26 \$ 2,898,980

27 Notwithstanding section 8.33, moneys appropriated in this
28 subsection that remain unencumbered or unobligated at the close
29 of the fiscal year shall not revert but shall remain available
30 for expenditure for the purposes designated until the close of
31 the succeeding fiscal year. However, unless such moneys are
32 encumbered or obligated on or before September 30, 2013, the
33 moneys shall revert.

34 4. For field operations:
35 \$ 31,296,232

1 5. For general administration:
2 \$ 3,744,000

3 6. For state child care assistance:
4 \$ 16,382,687

5 The funds appropriated in this subsection shall be
6 transferred to the child care and development block grant
7 appropriation made by the Eighty-fourth General Assembly, 2012
8 Session, for the federal fiscal year beginning October 1,
9 2012, and ending September 30, 2013. Of this amount, \$200,000
10 shall be used for provision of educational opportunities to
11 registered child care home providers in order to improve
12 services and programs offered by this category of providers
13 and to increase the number of providers. The department may
14 contract with institutions of higher education or child care
15 resource and referral centers to provide the educational
16 opportunities. Allowable administrative costs under the
17 contracts shall not exceed 5 percent. The application for a
18 grant shall not exceed two pages in length.

19 7. For mental health and developmental disabilities
20 community services:
21 \$ 4,894,052

22 8. For child and family services:
23 \$ 32,084,430

24 9. For child abuse prevention grants:
25 \$ 125,000

26 10. For pregnancy prevention grants on the condition that
27 family planning services are funded:
28 \$ 1,930,067

29 Pregnancy prevention grants shall be awarded to pregnancy
30 prevention programs that are based on existing models that
31 have demonstrated positive outcomes. Grants shall comply with
32 the requirements provided in 1997 Iowa Acts, chapter 208,
33 section 14, subsections 1 and 2, including the requirement that
34 grant programs must emphasize sexual abstinence. Priority in
35 the awarding of grants shall be given to programs that serve

1 areas of the state which demonstrate the highest percentage of
2 unplanned pregnancies of females of childbearing age within the
3 geographic area to be served by the grant.

4 11. For technology needs and other resources necessary
5 to meet federal welfare reform reporting, tracking, and case
6 management requirements:

7 \$ 1,037,186

8 12. To be credited to the state child care assistance
9 appropriation made in this section to be used for funding of
10 community-based early childhood programs targeted to children
11 from birth through five years of age developed by early
12 childhood Iowa areas as provided in section 256I.11:

13 \$ 6,350,000

14 The department shall transfer TANF block grant funding
15 appropriated and allocated in this subsection to the child care
16 and development block grant appropriation in accordance with
17 federal law as necessary to comply with the provisions of this
18 subsection.

19 13. a. Notwithstanding any provision to the contrary,
20 including but not limited to requirements in section 8.41 or
21 provisions in 2011 or 2012 Iowa Acts regarding the receipt
22 and appropriation of federal block grants, federal funds
23 from the emergency contingency fund for temporary assistance
24 for needy families state program established pursuant to the
25 federal American Recovery and Reinvestment Act of 2009, Pub.
26 L. No. 111-5 § 2101, received by the state during the fiscal
27 year beginning July 1, 2011, and ending June 30, 2012, not
28 otherwise appropriated in this section and remaining available
29 as of July 1, 2012, and received by the state during the fiscal
30 year beginning July 1, 2012, and ending June 30, 2013, are
31 appropriated to the extent as may be necessary to be used in
32 the following priority order: the family investment program
33 for the fiscal year and for state child care assistance program
34 payments for individuals enrolled in the family investment
35 program who are employed. The federal funds appropriated in

1 this paragraph "a" shall be expended only after all other
2 funds appropriated in subsection 1 for the assistance under
3 the family investment program under chapter 239B have been
4 expended.

5 b. The department shall, on a quarterly basis, advise the
6 legislative services agency and department of management of
7 the amount of funds appropriated in this subsection that was
8 expended in the prior quarter.

9 14. Of the amounts appropriated in this section,
10 \$12,962,008 for the fiscal year beginning July 1, 2012, shall
11 be transferred to the appropriation of the federal social
12 services block grant made for that fiscal year.

13 15. For continuation of the program allowing the department
14 to maintain categorical eligibility for the food assistance
15 program as required under the section of this division relating
16 to the family investment account:

17 \$ 146,072

18 16. The department may transfer funds allocated in this
19 section to the appropriations made in this Act for general
20 administration and field operations for resources necessary to
21 implement and operate the services referred to in this section
22 and those funded in the appropriation made in this division of
23 this Act for the family investment program from the general
24 fund of the state.

25 Sec. 81. FAMILY INVESTMENT PROGRAM ACCOUNT.

26 1. Moneys credited to the family investment program (FIP)
27 account for the fiscal year beginning July 1, 2012, and
28 ending June 30, 2013, shall be used to provide assistance in
29 accordance with chapter 239B.

30 2. The department may use a portion of the moneys credited
31 to the FIP account under this section as necessary for
32 salaries, support, maintenance, and miscellaneous purposes.

33 3. The department may transfer funds allocated in
34 this section to the appropriations in this Act for general
35 administration and field operations for resources necessary to

1 implement and operate the services referred to in this section
2 and those funded in the appropriation made in this division of
3 this Act for the family investment program from the general
4 fund of the state.

5 4. Moneys appropriated in this division of this Act and
6 credited to the FIP account for the fiscal year beginning July
7 1, 2012, and ending June 30, 2013, are allocated as follows:

8 a. To be retained by the department of human services to
9 be used for coordinating with the department of human rights
10 to more effectively serve participants in the FIP program and
11 other shared clients and to meet federal reporting requirements
12 under the federal temporary assistance for needy families block
13 grant:

14 \$ 20,000

15 b. To the department of human rights for staffing,
16 administration, and implementation of the family development
17 and self-sufficiency grant program in accordance with section
18 216A.107:

19 \$ 5,342,834

20 (1) Of the funds allocated for the family development and
21 self-sufficiency grant program in this lettered paragraph,
22 not more than 5 percent of the funds shall be used for the
23 administration of the grant program.

24 (2) The department of human rights may continue to implement
25 the family development and self-sufficiency grant program
26 statewide during fiscal year 2012-2013.

27 c. For the diversion subaccount of the FIP account:

28 \$ 1,698,400

29 A portion of the moneys allocated for the subaccount may
30 be used for field operations salaries, data management system
31 development, and implementation costs and support deemed
32 necessary by the director of human services in order to
33 administer the FIP diversion program.

34 d. For the food stamp employment and training program:

35 \$ 66,588

1 (1) The department shall amend the food stamp employment and
2 training state plan in order to maximize to the fullest extent
3 permitted by federal law the use of the 50-50 match provisions
4 for the claiming of allowable federal matching funds from the
5 United States department of agriculture pursuant to the federal
6 food stamp employment and training program for providing
7 education, employment, and training services for eligible food
8 assistance program participants, including but not limited to
9 related dependent care and transportation expenses.

10 (2) The department shall continue the categorical federal
11 food assistance program eligibility at 160 percent of the
12 federal poverty level and continue to eliminate the asset test
13 from eligibility requirements, consistent with federal food
14 assistance program requirements. The department shall include
15 as many food assistance households as is allowed by federal
16 law. The eligibility provisions shall conform to all federal
17 requirements including requirements addressing individuals who
18 are incarcerated or otherwise ineligible.

19 e. For the JOBS program:

20 \$ 20,235,905

21 5. Of the child support collections assigned under FIP,
22 an amount equal to the federal share of support collections
23 shall be credited to the child support recovery appropriation
24 made in this division of this Act. Of the remainder of the
25 assigned child support collections received by the child
26 support recovery unit, a portion shall be credited to the FIP
27 account, a portion may be used to increase recoveries, and a
28 portion may be used to sustain cash flow in the child support
29 payments account. If as a consequence of the appropriations
30 and allocations made in this section the resulting amounts
31 are insufficient to sustain cash assistance payments and meet
32 federal maintenance of effort requirements, the department
33 shall seek supplemental funding. If child support collections
34 assigned under FIP are greater than estimated or are otherwise
35 determined not to be required for maintenance of effort, the

1 state share of either amount may be transferred to or retained
2 in the child support payment account.

3 6. The department may adopt emergency rules for the family
4 investment, JOBS, food stamp, and medical assistance programs
5 if necessary to comply with federal requirements.

6 Sec. 82. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
7 is appropriated from the general fund of the state to the
8 department of human services for the fiscal year beginning July
9 1, 2012, and ending June 30, 2013, the following amount, or
10 so much thereof as is necessary, to be used for the purpose
11 designated:

12 To be credited to the family investment program (FIP)
13 account and used for family investment program assistance under
14 chapter 239B:

15 \$ 50,421,027

16 1. Of the funds appropriated in this section, \$7,824,377 is
17 allocated for the JOBS program.

18 2. Of the funds appropriated in this section, \$2,463,854 is
19 allocated for the family development and self-sufficiency grant
20 program.

21 3. Notwithstanding section 8.39, for the fiscal year
22 beginning July 1, 2012, if necessary to meet federal
23 maintenance of effort requirements or to transfer federal
24 temporary assistance for needy families block grant funding
25 to be used for purposes of the federal social services block
26 grant or to meet cash flow needs resulting from delays in
27 receiving federal funding or to implement, in accordance with
28 this division of this Act, activities currently funded with
29 juvenile court services, county, or community moneys and state
30 moneys used in combination with such moneys, the department
31 of human services may transfer funds within or between any
32 of the appropriations made in this division of this Act and
33 appropriations in law for the federal social services block
34 grant to the department for the following purposes, provided
35 that the combined amount of state and federal temporary

1 assistance for needy families block grant funding for each
2 appropriation remains the same before and after the transfer:

- 3 a. For the family investment program.
- 4 b. For child care assistance.
- 5 c. For child and family services.
- 6 d. For field operations.
- 7 e. For general administration.
- 8 f. MH/MR/DD/BI community services (local purchase).

9 This subsection shall not be construed to prohibit the use
10 of existing state transfer authority for other purposes. The
11 department shall report any transfers made pursuant to this
12 subsection to the legislative services agency.

13 4. Of the funds appropriated in this section, \$195,678 shall
14 be used for continuation of a grant to an Iowa-based nonprofit
15 organization with a history of providing tax preparation
16 assistance to low-income Iowans in order to expand the usage of
17 the earned income tax credit. The purpose of the grant is to
18 supply this assistance to underserved areas of the state.

19 Sec. 83. CHILD SUPPORT RECOVERY. There is appropriated
20 from the general fund of the state to the department of human
21 services for the fiscal year beginning July 1, 2012, and ending
22 June 30, 2013, the following amount, or so much thereof as is
23 necessary, to be used for the purposes designated:

24 For child support recovery, including salaries, support,
25 maintenance, and miscellaneous purposes, and for not more than
26 the following full-time equivalent positions:

27	\$ 13,219,255
28	FTEs 475.00

29 1. The department shall expend up to \$24,329, including
30 federal financial participation, for the fiscal year beginning
31 July 1, 2012, for a child support public awareness campaign.
32 The department and the office of the attorney general shall
33 cooperate in continuation of the campaign. The public
34 awareness campaign shall emphasize, through a variety of
35 media activities, the importance of maximum involvement of

1 both parents in the lives of their children as well as the
2 importance of payment of child support obligations.

3 2. Federal access and visitation grant moneys shall be
4 issued directly to private not-for-profit agencies that provide
5 services designed to increase compliance with the child access
6 provisions of court orders, including but not limited to
7 neutral visitation sites and mediation services.

8 3. The appropriation made to the department for child
9 support recovery may be used throughout the fiscal year in the
10 manner necessary for purposes of cash flow management, and for
11 cash flow management purposes the department may temporarily
12 draw more than the amount appropriated, provided the amount
13 appropriated is not exceeded at the close of the fiscal year.

14 4. With the exception of the funding amount specified, the
15 requirements established under 2001 Iowa Acts, chapter 191,
16 section 3, subsection 5, paragraph "c", subparagraph (3), shall
17 be applicable to parental obligation pilot projects for the
18 fiscal year beginning July 1, 2012, and ending June 30, 2013.
19 Notwithstanding 441 IAC 100.8, providing for termination of
20 rules relating to the pilot projects, the rules shall remain
21 in effect until June 30, 2013.

22 Sec. 84. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any
23 funds remaining in the health care trust fund created in
24 section 453A.35A for the fiscal year beginning July 1, 2012,
25 and ending June 30, 2013, are appropriated to the department
26 of human services to supplement the medical assistance program
27 appropriations made in this Act, for medical assistance
28 reimbursement and associated costs, including program
29 administration and costs associated with implementation.

30 Sec. 85. MEDICAL ASSISTANCE. There is appropriated from the
31 general fund of the state to the department of human services
32 for the fiscal year beginning July 1, 2012, and ending June 30,
33 2013, the following amount, or so much thereof as is necessary,
34 to be used for the purpose designated:

35 For medical assistance reimbursement and associated costs

1 as specifically provided in the reimbursement methodologies
2 in effect on June 30, 2012, except as otherwise expressly
3 authorized by law, including reimbursement for abortion
4 services which shall be available under the medical assistance
5 program only for those abortions which are medically necessary:
6 \$955,237,190

7 1. Medically necessary abortions are those performed under
8 any of the following conditions:

9 a. The attending physician certifies that continuing the
10 pregnancy would endanger the life of the pregnant woman.

11 b. Any spontaneous abortion, commonly known as a
12 miscarriage, if not all of the products of conception are
13 expelled.

14 2. The department shall utilize not more than \$60,000 of
15 the funds appropriated in this section to continue the AIDS/HIV
16 health insurance premium payment program as established in 1992
17 Iowa Acts, Second Extraordinary Session, chapter 1001, section
18 409, subsection 6. Of the funds allocated in this subsection,
19 not more than \$5,000 may be expended for administrative
20 purposes.

21 3. Of the funds appropriated in this Act to the department
22 of public health for addictive disorders, \$950,000 for the
23 fiscal year beginning July 1, 2012, shall be transferred to
24 the department of human services for an integrated substance
25 abuse managed care system. The department shall not assume
26 management of the substance abuse system in place of the
27 managed care contractor unless such a change in approach is
28 specifically authorized in law. The departments of human
29 services and public health shall work together to maintain
30 the level of mental health and substance abuse services
31 provided by the managed care contractor through the Iowa plan
32 for behavioral health. Each department shall take the steps
33 necessary to continue the federal waivers as necessary to
34 maintain the level of services.

35 4. a. The department shall aggressively pursue options for

1 providing medical assistance or other assistance to individuals
2 with special needs who become ineligible to continue receiving
3 services under the early and periodic screening, diagnostic,
4 and treatment program under the medical assistance program
5 due to becoming 21 years of age who have been approved for
6 additional assistance through the department's exception to
7 policy provisions, but who have health care needs in excess
8 of the funding available through the exception to policy
9 provisions.

10 b. Of the funds appropriated in this section, \$100,000
11 shall be used for participation in one or more pilot projects
12 operated by a private provider to allow the individual or
13 individuals to receive service in the community in accordance
14 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
15 (1999), for the purpose of providing medical assistance or
16 other assistance to individuals with special needs who become
17 ineligible to continue receiving services under the early and
18 periodic screening, diagnosis, and treatment program under
19 the medical assistance program due to becoming 21 years of
20 age who have been approved for additional assistance through
21 the department's exception to policy provisions, but who have
22 health care needs in excess of the funding available through
23 the exception to the policy provisions.

24 5. Of the funds appropriated in this section, up to
25 \$3,050,082 may be transferred to the field operations
26 or general administration appropriations in this Act for
27 operational costs associated with Part D of the federal
28 Medicare Prescription Drug Improvement and Modernization Act
29 of 2003, Pub. L. No. 108-173.

30 6. Of the funds appropriated in this section, up to \$442,100
31 may be transferred to the appropriation in this Act for medical
32 contracts to be used for clinical assessment services and prior
33 authorization of services.

34 7. A portion of the funds appropriated in this section
35 may be transferred to the appropriations in this division of

1 this Act for general administration, medical contracts, the
2 children's health insurance program, or field operations to be
3 used for the state match cost to comply with the payment error
4 rate measurement (PERM) program for both the medical assistance
5 and children's health insurance programs as developed by the
6 centers for Medicare and Medicaid services of the United States
7 department of health and human services to comply with the
8 federal Improper Payments Information Act of 2002, Pub. L. No.
9 107-300.

10 8. It is the intent of the general assembly that the
11 department continue to implement the recommendations of
12 the assuring better child health and development initiative
13 II (ABCDII) clinical panel to the Iowa early and periodic
14 screening, diagnostic, and treatment services healthy mental
15 development collaborative board regarding changes to billing
16 procedures, codes, and eligible service providers.

17 9. Of the funds appropriated in this section, a sufficient
18 amount is allocated to supplement the incomes of residents of
19 nursing facilities, intermediate care facilities for persons
20 with mental illness, and intermediate care facilities for
21 persons with mental retardation, with incomes of less than \$50
22 in the amount necessary for the residents to receive a personal
23 needs allowance of \$50 per month pursuant to section 249A.30A.

24 10. Of the funds appropriated in this section, the following
25 amounts shall be transferred to the appropriations made in this
26 division of this Act for the state mental health institutes:

- 27 a. Cherokee mental health institute \$ 9,098,425
- 28 b. Clarinda mental health institute \$ 1,977,305
- 29 c. Independence mental health institute \$ 9,045,894
- 30 d. Mount Pleasant mental health institute \$ 5,752,587

31 11. a. Of the funds appropriated in this section,
32 \$7,425,684 is allocated for the state match for a
33 disproportionate share hospital payment of \$19,133,430 to
34 hospitals that meet both of the conditions specified in
35 subparagraphs (1) and (2). In addition, the hospitals that

1 meet the conditions specified shall either certify public
2 expenditures or transfer to the medical assistance program
3 an amount equal to provide the nonfederal share for a
4 disproportionate share hospital payment of \$7,500,000. The
5 hospitals that meet the conditions specified shall receive and
6 retain 100 percent of the total disproportionate share hospital
7 payment of \$26,633,430.

8 (1) The hospital qualifies for disproportionate share and
9 graduate medical education payments.

10 (2) The hospital is an Iowa state-owned hospital with more
11 than 500 beds and eight or more distinct residency specialty
12 or subspecialty programs recognized by the American college of
13 graduate medical education.

14 b. Distribution of the disproportionate share payments
15 shall be made on a monthly basis. The total amount of
16 disproportionate share payments including graduate medical
17 education, enhanced disproportionate share, and Iowa
18 state-owned teaching hospital payments shall not exceed the
19 amount of the state's allotment under Pub. L. No. 102-234.
20 In addition, the total amount of all disproportionate
21 share payments shall not exceed the hospital-specific
22 disproportionate share limits under Pub. L. No. 103-66.

23 12. The university of Iowa hospitals and clinics shall
24 either certify public expenditures or transfer to the medical
25 assistance appropriation an amount equal to provide the
26 nonfederal share for increased medical assistance payments for
27 inpatient and outpatient hospital services of \$9,900,000. The
28 university of Iowa hospitals and clinics shall receive and
29 retain 100 percent of the total increase in medical assistance
30 payments.

31 13. Of the funds appropriated in this section, up to
32 \$4,480,304 may be transferred to the IowaCare account created
33 in section 249J.24.

34 14. Of the funds appropriated in this section, \$200,000
35 shall be used for the Iowa chronic care consortium pursuant to

1 2003 Iowa Acts, chapter 112, section 12, as amended by 2003
2 Iowa Acts, chapter 179, sections 166 and 167.

3 15. One hundred percent of the nonfederal share of payments
4 to area education agencies that are medical assistance
5 providers for medical assistance-covered services provided to
6 medical assistance-covered children, shall be made from the
7 appropriation made in this section.

8 16. Any new or renewed contract entered into by the
9 department with a third party to administer behavioral health
10 services under the medical assistance program shall provide
11 that any interest earned on payments from the state during
12 the state fiscal year shall be remitted to the department
13 and treated as recoveries to offset the costs of the medical
14 assistance program.

15 17. The department shall continue to implement the
16 provisions in 2007 Iowa Acts, chapter 218, section 124 and
17 section 126, as amended by 2008 Iowa Acts, chapter 1188,
18 section 55, relating to eligibility for certain persons with
19 disabilities under the medical assistance program in accordance
20 with the federal family opportunity Act.

21 18. A portion of the funds appropriated in this section
22 may be transferred to the appropriation in this division of
23 this Act for medical contracts to be used for administrative
24 activities associated with the money follows the person
25 demonstration project.

26 19. Of the funds appropriated in this section, \$349,011
27 shall be used for the administration of the health insurance
28 premium payment program, including salaries, support,
29 maintenance, and miscellaneous purposes for the fiscal year
30 beginning July 1, 2012.

31 20. a. The department may increase the amounts allocated
32 for salaries, support, maintenance, and miscellaneous purposes
33 associated with the medical assistance program as necessary
34 to implement cost containment efforts in order to accomplish
35 medical assistance program savings. The department shall

1 report any such increase to the legislative services agency and
2 department of management.

3 b. If the savings to the medical assistance program exceed
4 the cost, the department may transfer any savings generated
5 for the fiscal year due to medical assistance program cost
6 containment efforts initiated pursuant to 2010 Iowa Acts,
7 chapter 1031, Executive Order No. 20, issued December 16,
8 2009, or cost containment efforts initiated by the department
9 during fiscal year 2012-2013, to the appropriation made in
10 this division of this Act for medical contracts or general
11 administration to defray the increased contract costs
12 associated with implementing such efforts.

13 21. The department may implement cost containment
14 strategies recommended by the governor by using a sole
15 source contract process or by expanding an existing contract
16 without using a competitive process. The department may adopt
17 emergency rules to implement the cost containment strategies
18 recommended by the governor.

19 22. The department shall report the implementation of
20 any cost containment strategies under this section to the
21 individuals specified in this Act to receive reports on a
22 quarterly basis.

23 23. Notwithstanding any provision of law to the contrary,
24 the department of human services shall continue implementation
25 of the amended section 1915(b) waiver and Iowa plan contract
26 for inclusion of remedial services under the Iowa plan contract
27 for the fiscal year beginning July 1, 2012.

28 Sec. 86. MEDICAL CONTRACTS. There is appropriated from the
29 general fund of the state to the department of human services
30 for the fiscal year beginning July 1, 2012, and ending June 30,
31 2013, the following amount, or so much thereof as is necessary,
32 to be used for the purpose designated:

33 For medical contracts:

34 \$ 5,773,844

35 The department of inspections and appeals shall provide all

1 state matching funds for survey and certification activities
2 performed by the department of inspections and appeals.
3 The department of human services is solely responsible for
4 distributing the federal matching funds for such activities.

5 Sec. 87. STATE SUPPLEMENTARY ASSISTANCE.

6 1. There is appropriated from the general fund of the
7 state to the department of human services for the fiscal year
8 beginning July 1, 2012, and ending June 30, 2013, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purpose designated:

11 For the state supplementary assistance program:

12 \$ 17,850,747

13 2. The department shall increase the personal needs
14 allowance for residents of residential care facilities by the
15 same percentage and at the same time as federal supplemental
16 security income and federal social security benefits are
17 increased due to a recognized increase in the cost of living.
18 The department may adopt emergency rules to implement this
19 subsection.

20 3. If during the fiscal year beginning July 1, 2012,
21 the department projects that state supplementary assistance
22 expenditures for a calendar year will not meet the federal
23 pass-through requirement specified in Tit. XVI of the federal
24 Social Security Act, section 1618, as codified in 42 U.S.C.
25 § 1382g, the department may take actions including but not
26 limited to increasing the personal needs allowance for
27 residential care facility residents and making programmatic
28 adjustments or upward adjustments of the residential care
29 facility or in-home health-related care reimbursement rates
30 prescribed in this division of this Act to ensure that federal
31 requirements are met. In addition, the department may make
32 other programmatic and rate adjustments necessary to remain
33 within the amount appropriated in this section while ensuring
34 compliance with federal requirements. The department may adopt
35 emergency rules to implement the provisions of this subsection.

1 Sec. 88. CHILDREN'S HEALTH INSURANCE PROGRAM. There
2 is appropriated from the general fund of the state to the
3 department of human services for the fiscal year beginning July
4 1, 2012, and ending June 30, 2013, the following amount, or
5 so much thereof as is necessary, to be used for the purpose
6 designated:

7 For maintenance of the healthy and well kids in Iowa (hawk-i)
8 program pursuant to chapter 514I, including supplemental dental
9 services, for receipt of federal financial participation under
10 Tit. XXI of the federal Social Security Act, which creates the
11 children's health insurance program:

12 \$ 32,927,152

13 Sec. 89. CHILD CARE ASSISTANCE. There is appropriated
14 from the general fund of the state to the department of human
15 services for the fiscal year beginning July 1, 2012, and ending
16 June 30, 2013, the following amount, or so much thereof as is
17 necessary, to be used for the purpose designated:

18 For child care programs:

19 \$ 53,237,662

20 1. Of the funds appropriated in this section, \$51,868,235
21 shall be used for state child care assistance in accordance
22 with section 237A.13.

23 2. Nothing in this section shall be construed or is
24 intended as or shall imply a grant of entitlement for services
25 to persons who are eligible for assistance due to an income
26 level consistent with the waiting list requirements of section
27 237A.13. Any state obligation to provide services pursuant to
28 this section is limited to the extent of the funds appropriated
29 in this section.

30 3. Of the funds appropriated in this section, \$432,453 is
31 allocated for the statewide program for child care resource
32 and referral services under section 237A.26. A list of the
33 registered and licensed child care facilities operating in the
34 area served by a child care resource and referral service shall
35 be made available to the families receiving state child care

1 assistance in that area.

2 4. Of the funds appropriated in this section, \$936,974
3 is allocated for child care quality improvement initiatives
4 including but not limited to the voluntary quality rating
5 system in accordance with section 237A.30. The \$2,000,000
6 reduction applied to the combined state and federal funding
7 allocated for quality improvement in the prior fiscal year
8 shall be continued.

9 5. The department may use any of the funds appropriated
10 in this section as a match to obtain federal funds for use in
11 expanding child care assistance and related programs. For
12 the purpose of expenditures of state and federal child care
13 funding, funds shall be considered obligated at the time
14 expenditures are projected or are allocated to the department's
15 service areas. Projections shall be based on current and
16 projected caseload growth, current and projected provider
17 rates, staffing requirements for eligibility determination
18 and management of program requirements including data systems
19 management, staffing requirements for administration of the
20 program, contractual and grant obligations and any transfers
21 to other state agencies, and obligations for decategorization
22 or innovation projects.

23 6. A portion of the state match for the federal child care
24 and development block grant shall be provided as necessary to
25 meet federal matching funds requirements through the state
26 general fund appropriation made for child development grants
27 and other programs for at-risk children in section 279.51.

28 7. If a uniform reduction ordered by the governor under
29 section 8.31 or other operation of law, transfer, or federal
30 funding reduction reduces the appropriation made in this
31 section for the fiscal year, the percentage reduction in the
32 amount paid out to or on behalf of the families participating
33 in the state child care assistance program shall be equal to or
34 less than the percentage reduction made for any other purpose
35 payable from the appropriation made in this section and the

1 federal funding relating to it. The percentage reduction to
2 the other allocations made in this section shall be the same as
3 the uniform reduction ordered by the governor or the percentage
4 change of the federal funding reduction, as applicable.

5 If there is an unanticipated increase in federal funding
6 provided for state child care assistance, the entire amount
7 of the increase shall be used for state child care assistance
8 payments. If the appropriations made for purposes of the
9 state child care assistance program for the fiscal year are
10 determined to be insufficient, it is the intent of the general
11 assembly to appropriate sufficient funding for the fiscal year
12 in order to avoid establishment of waiting list requirements.

13 8. Notwithstanding section 8.33, moneys appropriated in
14 this section or received from the federal appropriations made
15 for the purposes of this section that remain unencumbered or
16 unobligated at the close of the fiscal year shall not revert
17 to any fund but shall remain available for expenditure for the
18 purposes designated until the close of the succeeding fiscal
19 year.

20 Sec. 90. JUVENILE INSTITUTIONS. There is appropriated
21 from the general fund of the state to the department of human
22 services for the fiscal year beginning July 1, 2012, and ending
23 June 30, 2013, the following amounts, or so much thereof as is
24 necessary, to be used for the purposes designated:

25 1. For operation of the Iowa juvenile home at Toledo and for
26 salaries, support, maintenance, and miscellaneous purposes, and
27 for not more than the following full-time equivalent positions:

28 \$ 8,380,319
29 FTEs 114.00

30 2. For operation of the state training school at Eldora and
31 for salaries, support, maintenance, and miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:

34 \$ 10,733,590
35 FTEs 164.30

1 Of the funds appropriated in this subsection, \$91,150 shall
2 be used for distribution to licensed classroom teachers at this
3 and other institutions under the control of the department of
4 human services based upon the average student yearly enrollment
5 at each institution as determined by the department.

6 3. A portion of the moneys appropriated in this section
7 shall be used by the state training school and by the Iowa
8 juvenile home for grants for adolescent pregnancy prevention
9 activities at the institutions in the fiscal year beginning
10 July 1, 2012.

11 Sec. 91. CHILD AND FAMILY SERVICES.

12 1. There is appropriated from the general fund of the
13 state to the department of human services for the fiscal year
14 beginning July 1, 2012, and ending June 30, 2013, the following
15 amount, or so much thereof as is necessary, to be used for the
16 purpose designated:

17 For child and family services:

18 \$ 83,020,163

19 2. In order to address a reduction of \$5,200,000 from the
20 amount allocated under the appropriation made for the purposes
21 of this section in prior years for purposes of juvenile
22 delinquent graduated sanction services, up to \$5,200,000 of the
23 amount of federal temporary assistance for needy families block
24 grant funding appropriated in this division of this Act for
25 child and family services shall be made available for purposes
26 of juvenile delinquent graduated sanction services.

27 3. The department may transfer funds appropriated in this
28 section as necessary to pay the nonfederal costs of services
29 reimbursed under the medical assistance program, state child
30 care assistance program, or the family investment program which
31 are provided to children who would otherwise receive services
32 paid under the appropriation in this section. The department
33 may transfer funds appropriated in this section to the
34 appropriations made in this division of this Act for general
35 administration and for field operations for resources necessary

1 to implement and operate the services funded in this section.

2 4. a. Of the funds appropriated in this section, up to
3 \$30,169,129 is allocated as the statewide expenditure target
4 under section 232.143 for group foster care maintenance and
5 services. If the department projects that such expenditures
6 for the fiscal year will be less than the target amount
7 allocated in this lettered paragraph, the department may
8 reallocate the excess to provide additional funding for shelter
9 care or the child welfare emergency services addressed with the
10 allocation for shelter care.

11 b. If at any time after September 30, 2012, annualization
12 of a service area's current expenditures indicates a service
13 area is at risk of exceeding its group foster care expenditure
14 target under section 232.143 by more than 5 percent, the
15 department and juvenile court services shall examine all
16 group foster care placements in that service area in order to
17 identify those which might be appropriate for termination.
18 In addition, any aftercare services believed to be needed
19 for the children whose placements may be terminated shall be
20 identified. The department and juvenile court services shall
21 initiate action to set dispositional review hearings for the
22 placements identified. In such a dispositional review hearing,
23 the juvenile court shall determine whether needed aftercare
24 services are available and whether termination of the placement
25 is in the best interest of the child and the community.

26 5. In accordance with the provisions of section 232.188,
27 the department shall continue the child welfare and juvenile
28 justice funding initiative during fiscal year 2012-2013. Of
29 the funds appropriated in this section, \$1,717,753 is allocated
30 specifically for expenditure for fiscal year 2012-2013 through
31 the decategorization service funding pools and governance
32 boards established pursuant to section 232.188.

33 6. A portion of the funds appropriated in this section
34 may be used for emergency family assistance to provide other
35 resources required for a family participating in a family

1 preservation or reunification project or successor project to
2 stay together or to be reunified.

3 7. Notwithstanding section 234.35 or any other provision
4 of law to the contrary, state funding for shelter care and
5 the child welfare emergency services contracting implemented
6 to provide for or prevent the need for shelter care shall be
7 limited to \$7,170,116. The department may execute contracts
8 that result from the department's request for proposal, bid
9 number ACFS-11-114, to provide the range of child welfare
10 emergency services described in the request for proposals, and
11 any subsequent amendments to the request for proposals.

12 8. Federal funds received by the state during the fiscal
13 year beginning July 1, 2012, as the result of the expenditure
14 of state funds appropriated during a previous state fiscal
15 year for a service or activity funded under this section are
16 appropriated to the department to be used as additional funding
17 for services and purposes provided for under this section.
18 Notwithstanding section 8.33, moneys received in accordance
19 with this subsection that remain unencumbered or unobligated at
20 the close of the fiscal year shall not revert to any fund but
21 shall remain available for the purposes designated until the
22 close of the succeeding fiscal year.

23 9. Of the funds appropriated in this section, at least
24 \$3,696,285 shall be used for protective child care assistance.

25 10. a. Of the funds appropriated in this section, up to
26 \$2,062,488 is allocated for the payment of the expenses of
27 court-ordered services provided to juveniles who are under the
28 supervision of juvenile court services, which expenses are a
29 charge upon the state pursuant to section 232.141, subsection
30 4. Of the amount allocated in this lettered paragraph, up to
31 \$1,556,287 shall be made available to provide school-based
32 supervision of children adjudicated under chapter 232, of which
33 not more than \$15,000 may be used for the purpose of training.
34 A portion of the cost of each school-based liaison officer
35 shall be paid by the school district or other funding source as

1 approved by the chief juvenile court officer.

2 b. Of the funds appropriated in this section, up to \$748,985
3 is allocated for the payment of the expenses of court-ordered
4 services provided to children who are under the supervision
5 of the department, which expenses are a charge upon the state
6 pursuant to section 232.141, subsection 4.

7 c. Notwithstanding section 232.141 or any other provision
8 of law to the contrary, the amounts allocated in this
9 subsection shall be distributed to the judicial districts
10 as determined by the state court administrator and to the
11 department's service areas as determined by the administrator
12 of the department's division of child and family services. The
13 state court administrator and the division administrator shall
14 make the determination of the distribution amounts on or before
15 June 15, 2012.

16 d. Notwithstanding chapter 232 or any other provision of
17 law to the contrary, a district or juvenile court shall not
18 order any service which is a charge upon the state pursuant
19 to section 232.141 if there are insufficient court-ordered
20 services funds available in the district court or departmental
21 service area distribution amounts to pay for the service. The
22 chief juvenile court officer and the departmental service area
23 manager shall encourage use of the funds allocated in this
24 subsection such that there are sufficient funds to pay for
25 all court-related services during the entire year. The chief
26 juvenile court officers and departmental service area managers
27 shall attempt to anticipate potential surpluses and shortfalls
28 in the distribution amounts and shall cooperatively request the
29 state court administrator or division administrator to transfer
30 funds between the judicial districts' or departmental service
31 areas' distribution amounts as prudent.

32 e. Notwithstanding any provision of law to the contrary,
33 a district or juvenile court shall not order a county to pay
34 for any service provided to a juvenile pursuant to an order
35 entered under chapter 232 which is a charge upon the state

1 under section 232.141, subsection 4.

2 f. Of the funds allocated in this subsection, not more than
3 \$83,000 may be used by the judicial branch for administration
4 of the requirements under this subsection.

5 g. Of the funds allocated in this subsection, \$17,000
6 shall be used by the department of human services to support
7 the interstate commission for juveniles in accordance with
8 the interstate compact for juveniles as provided in section
9 232.173.

10 11. Of the funds appropriated in this section, \$4,522,602 is
11 allocated for juvenile delinquent graduated sanctions services.
12 Any state funds saved as a result of efforts by juvenile court
13 services to earn federal Tit. IV-E match for juvenile court
14 services administration may be used for the juvenile delinquent
15 graduated sanctions services.

16 12. Of the funds appropriated in this section, \$988,285
17 shall be transferred to the department of public health to
18 be used for the child protection center grant program in
19 accordance with section 135.118.

20 13. If the department receives federal approval to
21 implement a waiver under Tit. IV-E of the federal Social
22 Security Act to enable providers to serve children who remain
23 in the children's families and communities, for purposes of
24 eligibility under the medical assistance program, children who
25 participate in the waiver shall be considered to be placed in
26 foster care.

27 14. Of the funds appropriated in this section, \$3,069,832 is
28 allocated for the preparation for adult living program pursuant
29 to section 234.46.

30 15. Of the funds appropriated in this section, \$520,150
31 shall be used for juvenile drug courts. The amount allocated
32 in this subsection shall be distributed as follows:

33 To the judicial branch for salaries to assist with the
34 operation of juvenile drug court programs operated in the
35 following jurisdictions:

1	a. Marshall county:	
2	.....	\$ 62,708
3	b. Woodbury county:	
4	.....	\$ 125,682
5	c. Polk county:	
6	.....	\$ 195,892
7	d. The third judicial district:	
8	.....	\$ 67,934
9	e. The eighth judicial district:	
10	.....	\$ 67,934

11 16. Of the funds appropriated in this section, \$227,337
12 shall be used for the public purpose of providing a grant to
13 a nonprofit human services organization providing services to
14 individuals and families in multiple locations in southwest
15 Iowa and Nebraska for support of a project providing immediate,
16 sensitive support and forensic interviews, medical exams, needs
17 assessments, and referrals for victims of child abuse and their
18 nonoffending family members.

19 17. Of the funds appropriated in this section, \$125,590
20 is allocated for the elevate approach of providing a support
21 network to children placed in foster care.

22 18. Of the funds appropriated in this section, \$202,000 is
23 allocated for use pursuant to section 235A.1 for continuation
24 of the initiative to address child sexual abuse implemented
25 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
26 21.

27 19. Of the funds appropriated in this section, \$630,240 is
28 allocated for the community partnership for child protection
29 sites.

30 20. Of the funds appropriated in this section, \$371,250
31 is allocated for the department's minority youth and family
32 projects under the redesign of the child welfare system.

33 21. Of the funds appropriated in this section, \$1,200,495
34 is allocated for funding of the state match for the federal
35 substance abuse and mental health services administration

1 (SAMHSA) system of care grant.

2 22. Of the funds appropriated in this section, at least
3 \$147,158 shall be used for the child welfare training academy.

4 23. Of the funds appropriated in this section, \$25,000
5 shall be used for the public purpose of providing a grant to
6 a child welfare services provider headquartered in a county
7 with a population between 205,000 and 215,000 in the latest
8 certified federal census that provides multiple services
9 including but not limited to a psychiatric medical institution
10 for children, shelter, residential treatment, after school
11 programs, school-based programming, and an Asperger's syndrome
12 program, to be used for support services for children with
13 autism spectrum disorder and their families.

14 Sec. 92. ADOPTION SUBSIDY.

15 1. There is appropriated from the general fund of the
16 state to the department of human services for the fiscal year
17 beginning July 1, 2012, and ending June 30, 2013, the following
18 amount, or so much thereof as is necessary, to be used for the
19 purpose designated:

20 For adoption subsidy payments and services:
21 \$ 36,897,591

22 2. The department may transfer funds appropriated in this
23 section to the appropriation made in this Act for general
24 administration for costs paid from the appropriation relating
25 to adoption subsidy.

26 3. Federal funds received by the state during the
27 fiscal year beginning July 1, 2012, as the result of the
28 expenditure of state funds during a previous state fiscal
29 year for a service or activity funded under this section are
30 appropriated to the department to be used as additional funding
31 for the services and activities funded under this section.
32 Notwithstanding section 8.33, moneys received in accordance
33 with this subsection that remain unencumbered or unobligated
34 at the close of the fiscal year shall not revert to any fund
35 but shall remain available for expenditure for the purposes

1 designated until the close of the succeeding fiscal year.

2 Sec. 93. JUVENILE DETENTION HOME FUND. Moneys deposited
3 in the juvenile detention home fund created in section 232.142
4 during the fiscal year beginning July 1, 2012, and ending June
5 30, 2013, are appropriated to the department of human services
6 for the fiscal year beginning July 1, 2012, and ending June 30,
7 2013, for distribution of an amount equal to a percentage of
8 the costs of the establishment, improvement, operation, and
9 maintenance of county or multicounty juvenile detention homes
10 in the fiscal year beginning July 1, 2011. Moneys appropriated
11 for distribution in accordance with this section shall be
12 allocated among eligible detention homes, prorated on the basis
13 of an eligible detention home's proportion of the costs of all
14 eligible detention homes in the fiscal year beginning July
15 1, 2011. The percentage figure shall be determined by the
16 department based on the amount available for distribution for
17 the fund. Notwithstanding section 232.142, subsection 3, the
18 financial aid payable by the state under that provision for the
19 fiscal year beginning July 1, 2012, shall be limited to the
20 amount appropriated for the purposes of this section.

21 Sec. 94. FAMILY SUPPORT SUBSIDY PROGRAM.

22 1. There is appropriated from the general fund of the
23 state to the department of human services for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purpose designated:

27 For the family support subsidy program subject to the
28 enrollment restrictions in section 225C.37, subsection 3:
29 \$ 1,167,998

30 2. The department shall use at least \$385,500 of the moneys
31 appropriated in this section for the family support center
32 component of the comprehensive family support program under
33 section 225C.47. Not more than \$25,000 of the amount allocated
34 in this subsection shall be used for administrative costs.

35 3. If at any time during the fiscal year, the amount of

1 funding available for the family support subsidy program
2 is reduced from the amount initially used to establish the
3 figure for the number of family members for whom a subsidy
4 is to be provided at any one time during the fiscal year,
5 notwithstanding section 225C.38, subsection 2, the department
6 shall revise the figure as necessary to conform to the amount
7 of funding available.

8 Sec. 95. CONNER DECREE. There is appropriated from the
9 general fund of the state to the department of human services
10 for the fiscal year beginning July 1, 2012, and ending June 30,
11 2013, the following amount, or so much thereof as is necessary,
12 to be used for the purpose designated:

13 For building community capacity through the coordination
14 and provision of training opportunities in accordance with the
15 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
16 Iowa, July 14, 1994):

17 \$ 33,622

18 Sec. 96. MENTAL HEALTH INSTITUTES. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2012, and ending
21 June 30, 2013, the following amounts, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 1. For the state mental health institute at Cherokee for
24 salaries, support, maintenance, and miscellaneous purposes, and
25 for not more than the following full-time equivalent positions:
26 \$ 7,674,554
27 FTEs 168.50

28 2. For the state mental health institute at Clarinda for
29 salaries, support, maintenance, and miscellaneous purposes, and
30 for not more than the following full-time equivalent positions:
31 \$ 6,510,702
32 FTEs 86.10

33 3. For the state mental health institute at Independence for
34 salaries, support, maintenance, and miscellaneous purposes, and
35 for not more than the following full-time equivalent positions:

1 \$ 10,476,777

2 FTEs 233.00

3 4. For the state mental health institute at Mount Pleasant
4 for salaries, support, maintenance, and miscellaneous purposes,
5 and for not more than the following full-time equivalent
6 positions:

7 \$ 1,053,121

8 FTEs 91.72

9 Sec. 97. STATE RESOURCE CENTERS.

10 1. There is appropriated from the general fund of the
11 state to the department of human services for the fiscal year
12 beginning July 1, 2012, and ending June 30, 2013, the following
13 amounts, or so much thereof as is necessary, to be used for the
14 purposes designated:

15 a. For the state resource center at Glenwood for salaries,
16 support, maintenance, and miscellaneous purposes:

17 \$ 19,450,698

18 b. For the state resource center at Woodward for salaries,
19 support, maintenance, and miscellaneous purposes:

20 \$ 13,492,418

21 2. The department may continue to bill for state resource
22 center services utilizing a scope of services approach used for
23 private providers of ICFMR services, in a manner which does not
24 shift costs between the medical assistance program, counties,
25 or other sources of funding for the state resource centers.

26 3. The state resource centers may expand the time-limited
27 assessment and respite services during the fiscal year.

28 4. If the department's administration and the department
29 of management concur with a finding by a state resource
30 center's superintendent that projected revenues can reasonably
31 be expected to pay the salary and support costs for a new
32 employee position, or that such costs for adding a particular
33 number of new positions for the fiscal year would be less
34 than the overtime costs if new positions would not be added,
35 the superintendent may add the new position or positions. If

1 the vacant positions available to a resource center do not
2 include the position classification desired to be filled, the
3 state resource center's superintendent may reclassify any
4 vacant position as necessary to fill the desired position. The
5 superintendents of the state resource centers may, by mutual
6 agreement, pool vacant positions and position classifications
7 during the course of the fiscal year in order to assist one
8 another in filling necessary positions.

9 5. If existing capacity limitations are reached in
10 operating units, a waiting list is in effect for a service or
11 a special need for which a payment source or other funding
12 is available for the service or to address the special need,
13 and facilities for the service or to address the special need
14 can be provided within the available payment source or other
15 funding, the superintendent of a state resource center may
16 authorize opening not more than two units or other facilities
17 and begin implementing the service or addressing the special
18 need during fiscal year 2012-2013.

19 Sec. 98. MI/MR/DD STATE CASES.

20 1. There is appropriated from the general fund of the
21 state to the department of human services for the fiscal year
22 beginning July 1, 2012, and ending June 30, 2013, the following
23 amount, or so much thereof as is necessary, to be used for the
24 purpose designated:

25 For distribution to counties for state case services
26 for persons with mental illness, mental retardation, and
27 developmental disabilities in accordance with section 331.440:
28 \$ 12,169,482

29 2. For the fiscal year beginning July 1, 2012, and ending
30 June 30, 2013, \$200,000 is allocated for state case services
31 from the amounts appropriated from the fund created in section
32 8.41 to the department of human services from the funds
33 received from the federal government under 42 U.S.C. ch. 6A,
34 subch. XVII, relating to the community mental health center
35 block grant, for the federal fiscal years beginning October

1 1, 2010, and ending September 30, 2011, beginning October 1,
2 2011, and ending September 30, 2012, and beginning October 1,
3 2012, and ending September 30, 2013. The allocation made in
4 this subsection shall be made prior to any other distribution
5 allocation of the appropriated federal funds.

6 3. Notwithstanding section 8.33, moneys appropriated in
7 this section that remain unencumbered or unobligated at the
8 close of the fiscal year shall not revert but shall remain
9 available for expenditure for the purposes designated until the
10 close of the succeeding fiscal year.

11 Sec. 99. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

12 — COMMUNITY SERVICES FUND. There is appropriated from
13 the general fund of the state to the mental health and
14 developmental disabilities community services fund created in
15 section 225C.7 for the fiscal year beginning July 1, 2012, and
16 ending June 30, 2013, the following amount, or so much thereof
17 as is necessary, to be used for the purpose designated:

18 For mental health and developmental disabilities community
19 services in accordance with this division of this Act:

20 \$ 14,211,100

21 1. Of the funds appropriated in this section, \$14,187,556
22 shall be allocated to counties for funding of community-based
23 mental health and developmental disabilities services. The
24 moneys shall be allocated to a county as follows:

25 a. Fifty percent based upon the county's proportion of the
26 state's population of persons with an annual income which is
27 equal to or less than the poverty guideline established by the
28 federal office of management and budget.

29 b. Fifty percent based upon the county's proportion of the
30 state's general population.

31 2. a. A county shall utilize the funding the county
32 receives pursuant to subsection 1 for services provided to
33 persons with a disability, as defined in section 225C.2.
34 However, no more than 50 percent of the funding shall be used
35 for services provided to any one of the service populations.

1 b. A county shall use at least 50 percent of the funding the
2 county receives under subsection 1 for contemporary services
3 provided to persons with a disability, as described in rules
4 adopted by the department.

5 3. Of the funds appropriated in this section, \$23,544
6 shall be used to support the Iowa compass program providing
7 computerized information and referral services for Iowans with
8 disabilities and their families.

9 4. a. Funding appropriated for purposes of the federal
10 social services block grant is allocated for distribution
11 to counties for local purchase of services for persons with
12 mental illness or mental retardation or other developmental
13 disability.

14 b. The funds allocated in this subsection shall be expended
15 by counties in accordance with the county's county management
16 plan approved by the board of supervisors. A county without
17 an approved county management plan shall not receive allocated
18 funds until the county's management plan is approved.

19 c. The funds provided by this subsection shall be allocated
20 to each county as follows:

21 (1) Fifty percent based upon the county's proportion of the
22 state's population of persons with an annual income which is
23 equal to or less than the poverty guideline established by the
24 federal office of management and budget.

25 (2) Fifty percent based upon the amount provided to the
26 county for local purchase of services in the preceding fiscal
27 year.

28 5. A county is eligible for funds under this section if the
29 county qualifies for a state payment as described in section
30 331.439.

31 6. The most recent population estimates issued by the United
32 States bureau of the census shall be applied for the population
33 factors utilized in this section.

34 Sec. 100. SEXUALLY VIOLENT PREDATORS.

35 1. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
2 beginning July 1, 2012, and ending June 30, 2013, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For costs associated with the commitment and treatment of
6 sexually violent predators in the unit located at the state
7 mental health institute at Cherokee, including costs of legal
8 services and other associated costs, including salaries,
9 support, maintenance, and miscellaneous purposes, and for not
10 more than the following full-time equivalent positions:

11 \$ 7,674,554
12 FTEs 89.50

13 2. Unless specifically prohibited by law, if the amount
14 charged provides for recoupment of at least the entire amount
15 of direct and indirect costs, the department of human services
16 may contract with other states to provide care and treatment
17 of persons placed by the other states at the unit for sexually
18 violent predators at Cherokee. The moneys received under
19 such a contract shall be considered to be repayment receipts
20 and used for the purposes of the appropriation made in this
21 section.

22 Sec. 101. FIELD OPERATIONS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2012, and ending June 30,
25 2013, the following amount, or so much thereof as is necessary,
26 to be used for the purposes designated:

27 For field operations, including salaries, support,
28 maintenance, and miscellaneous purposes, and for not more than
29 the following full-time equivalent positions:

30 \$ 55,339,921
31 FTEs 1,781.00

32 Priority in filling full-time equivalent positions shall be
33 given to those positions related to child protection services
34 and eligibility determination for low-income families.

35 Sec. 102. GENERAL ADMINISTRATION. There is appropriated

1 from the general fund of the state to the department of human
2 services for the fiscal year beginning July 1, 2012, and ending
3 June 30, 2013, the following amount, or so much thereof as is
4 necessary, to be used for the purpose designated:

5 For general administration, including salaries, support,
6 maintenance, and miscellaneous purposes, and for not more than
7 the following full-time equivalent positions:

8 \$ 15,146,745
9 FTEs 285.00

10 1. Of the funds appropriated in this section, \$38,543
11 allocated for the prevention of disabilities policy council
12 established in section 225B.3.

13 2. The department shall report at least monthly to the
14 legislative services agency concerning the department's
15 operational and program expenditures.

16 3. Of the funds appropriated in this section, \$150,000
17 shall be used to continue the program to provide technical
18 assistance, support, and consultation to providers of
19 habilitation services and home and community-based waiver
20 services for adults with disabilities under the medical
21 assistance program.

22 4. Of the funds appropriated in this section, \$200,000 shall
23 be used to expand the provision of nationally accredited and
24 recognized internet-based training to include mental health and
25 disability services providers.

26 Sec. 103. VOLUNTEERS. There is appropriated from the
27 general fund of the state to the department of human services
28 for the fiscal year beginning July 1, 2012, and ending June 30,
29 2013, the following amount, or so much thereof as is necessary,
30 to be used for the purpose designated:

31 For development and coordination of volunteer services:
32 \$ 84,660

33 Sec. 104. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
34 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
35 DEPARTMENT OF HUMAN SERVICES.

1 1. a. (1) For the fiscal year beginning July 1, 2012,
2 the total state funding amount for the nursing facility budget
3 shall not exceed \$225,502,551.

4 (2) The department, in cooperation with nursing facility
5 representatives, shall review projections for state funding
6 expenditures for reimbursement of nursing facilities on a
7 quarterly basis and the department shall determine if an
8 adjustment to the medical assistance reimbursement rate is
9 necessary in order to provide reimbursement within the state
10 funding amount for the fiscal year. Notwithstanding 2001
11 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
12 "c", and subsection 3, paragraph "a", subparagraph (2),
13 if the state funding expenditures for the nursing facility
14 budget for the fiscal year is projected to exceed the amount
15 specified in subparagraph (1), the department shall adjust
16 the reimbursement for nursing facilities reimbursed under the
17 case-mix reimbursement system to maintain expenditures of the
18 nursing facility budget within the specified amount for the
19 fiscal year.

20 (3) For the fiscal year beginning July 1, 2012, special
21 population nursing facilities shall be reimbursed in accordance
22 with the methodology in effect on June 30, 2012.

23 b. For the fiscal year beginning July 1, 2012, the
24 department shall reimburse pharmacy dispensing fees using a
25 single rate of \$4.34 per prescription or the pharmacy's usual
26 and customary fee, whichever is lower.

27 c. (1) For the fiscal year beginning July 1, 2012,
28 reimbursement rates for outpatient hospital services shall
29 remain at the rates in effect on June 30, 2012.

30 (2) For the fiscal year beginning July 1, 2012,
31 reimbursement rates for inpatient hospital services shall
32 remain at the rates in effect on June 30, 2012.

33 (3) For the fiscal year beginning July 1, 2012, the graduate
34 medical education and disproportionate share hospital fund
35 shall remain at the amount in effect on June 30, 2012.

1 (4) In order to ensure the efficient use of limited state
2 funds in procuring health care services for low-income Iowans,
3 funds appropriated in this Act for hospital services shall
4 not be used for activities which would be excluded from a
5 determination of reasonable costs under the federal Medicare
6 program pursuant to 42 U.S.C. § 1395X(v)(1)(N).

7 d. For the fiscal year beginning July 1, 2012, reimbursement
8 rates for rural health clinics, hospices, and acute mental
9 hospitals shall be increased in accordance with increases under
10 the federal Medicare program or as supported by their Medicare
11 audited costs.

12 e. For the fiscal year beginning July 1, 2012, independent
13 laboratories and rehabilitation agencies shall be reimbursed
14 using the same methodology in effect on June 30, 2012.

15 f. For the fiscal year beginning July 1, 2012, reimbursement
16 rates for home health agencies shall remain at the rates in
17 effect on June 30, 2012, not to exceed a home health agency's
18 actual allowable cost.

19 g. For the fiscal year beginning July 1, 2012, federally
20 qualified health centers shall receive cost-based reimbursement
21 for 100 percent of the reasonable costs for the provision of
22 services to recipients of medical assistance.

23 h. For the fiscal year beginning July 1, 2012, the
24 reimbursement rates for dental services shall remain at the
25 rates in effect on June 30, 2012.

26 i. For the fiscal year beginning July 1, 2012, state-owned
27 psychiatric medical institutions for children shall be
28 reimbursed in accordance with section 249A.31.

29 j. For the fiscal year beginning July 1, 2012, unless
30 otherwise specified in this Act, all noninstitutional medical
31 assistance provider reimbursement rates shall remain at the
32 rates in effect on June 30, 2012, except for area education
33 agencies, local education agencies, infant and toddler services
34 providers, and those providers whose rates are required to be
35 determined pursuant to section 249A.20.

1 k. Notwithstanding any provision to the contrary, for the
2 fiscal year beginning July 1, 2012, the reimbursement rate for
3 anesthesiologists shall remain at the rate in effect on June
4 30, 2012.

5 l. Notwithstanding section 249A.20, for the fiscal year
6 beginning July 1, 2012, the average reimbursement rate for
7 health care providers eligible for use of the federal Medicare
8 resource-based relative value scale reimbursement methodology
9 under that section shall remain at the rate in effect on June
10 30, 2012; however, this rate shall not exceed the maximum level
11 authorized by the federal government.

12 m. For the fiscal year beginning July 1, 2012, the
13 reimbursement rate for residential care facilities shall not
14 be less than the minimum payment level as established by the
15 federal government to meet the federally mandated maintenance
16 of effort requirement. The flat reimbursement rate for
17 facilities electing not to file annual cost reports shall not
18 be less than the minimum payment level as established by the
19 federal government to meet the federally mandated maintenance
20 of effort requirement.

21 n. For the fiscal year beginning July 1, 2012, inpatient
22 mental health services provided at hospitals shall remain at
23 the rates in effect on June 30, 2012, subject to Medicaid
24 program upper payment limit rules; community mental health
25 centers and providers of mental health services to county
26 residents pursuant to a waiver approved under section 225C.7,
27 subsection 3, shall be reimbursed at 100 percent of the
28 reasonable costs for the provision of services to recipients of
29 medical assistance; and psychiatrists shall be reimbursed at
30 the medical assistance program fee for service rate.

31 o. For the fiscal year beginning July 1, 2012, the
32 reimbursement rate for consumer-directed attendant care shall
33 remain at the rates in effect on June 30, 2012.

34 p. For the fiscal year beginning July 1, 2012, the
35 reimbursement rate for providers of family planning services

1 that are eligible to receive a 90 percent federal match shall
2 remain at the rates in effect on June 30, 2012.

3 2. For the fiscal year beginning July 1, 2012, the
4 reimbursement rate for providers reimbursed under the
5 in-home-related care program shall not be less than the minimum
6 payment level as established by the federal government to meet
7 the federally mandated maintenance of effort requirement.

8 3. Unless otherwise directed in this section, when the
9 department's reimbursement methodology for any provider
10 reimbursed in accordance with this section includes an
11 inflation factor, this factor shall not exceed the amount
12 by which the consumer price index for all urban consumers
13 increased during the calendar year ending December 31, 2002.

14 4. For the fiscal year beginning July 1, 2012,
15 notwithstanding section 234.38, the foster family basic daily
16 maintenance rate and the maximum adoption subsidy rate for
17 children ages 0 through 5 years shall be \$15.74, the rate for
18 children ages 6 through 11 years shall be \$16.37, the rate for
19 children ages 12 through 15 years shall be \$17.92, and the
20 rate for children and young adults ages 16 and older shall be
21 \$18.16. The maximum supervised apartment living foster care
22 reimbursement rate shall be \$25.00 per day. For youth ages
23 18 to 21 who have exited foster care, the maximum preparation
24 for adult living program maintenance rate shall be \$574.00 per
25 month. The maximum payment for adoption subsidy nonrecurring
26 expenses shall be limited to \$500 and the disallowance of
27 additional amounts for court costs and other related legal
28 expenses implemented pursuant to 2010 Iowa Acts, chapter 1031,
29 section 408 shall be continued.

30 5. For the fiscal year beginning July 1, 2012, the maximum
31 reimbursement rates under the supervised apartment living
32 program and for social services providers under contract
33 shall remain at the rates in effect on June 30, 2012, or the
34 provider's actual and allowable cost plus inflation for each
35 service, whichever is less. However, if a new service or

1 service provider is added after June 30, 2012, the initial
2 reimbursement rate for the service or provider shall be
3 based upon actual and allowable costs. Providers may also
4 be eligible for an additional amount as specified under the
5 department's request for proposal, bid number ACFS-11-115.

6 6. For the fiscal year beginning July 1, 2012, the
7 reimbursement rates for family-centered service providers,
8 family foster care service providers, group foster care service
9 providers, and the resource family recruitment and retention
10 contractor shall remain at the rates in effect on June 30,
11 2012.

12 7. The group foster care reimbursement rates paid for
13 placement of children out of state shall be calculated
14 according to the same rate-setting principles as those used for
15 in-state providers, unless the director of human services or
16 the director's designee determines that appropriate care cannot
17 be provided within the state. The payment of the daily rate
18 shall be based on the number of days in the calendar month in
19 which service is provided.

20 8. a. For the fiscal year beginning July 1, 2012, the
21 reimbursement rate paid for shelter care and the child welfare
22 emergency services implemented to provide or prevent the need
23 for shelter care shall be established in a contract based on
24 the requirements of the department's request for proposal, bid
25 number ACFS-11-114.

26 b. For the fiscal year beginning July 1, 2012, the combined
27 service and maintenance components of the reimbursement rate
28 paid for shelter care services shall be based on the financial
29 and statistical report submitted to the department. The
30 maximum reimbursement rate shall be \$92.36 per day. The
31 department shall reimburse a shelter care provider at the
32 provider's actual and allowable unit cost, plus inflation, not
33 to exceed the maximum reimbursement rate.

34 c. Notwithstanding section 232.141, subsection 8, for the
35 fiscal year beginning July 1, 2012, the amount of the statewide

1 average of the actual and allowable rates for reimbursement of
2 juvenile shelter care homes that is utilized for the limitation
3 on recovery of unpaid costs shall remain at the amount in
4 effect for this purpose in the fiscal year beginning July 1,
5 2011.

6 9. For the fiscal year beginning July 1, 2012, the
7 department shall calculate reimbursement rates for intermediate
8 care facilities for persons with mental retardation at the
9 80th percentile. Beginning July 1, 2012, the rate calculation
10 methodology shall utilize the consumer price index inflation
11 factor applicable to the fiscal year beginning July 1, 2012.

12 10. For the fiscal year beginning July 1, 2012, for child
13 care providers reimbursed under the state child care assistance
14 program, the department shall set provider reimbursement
15 rates based on the rate reimbursement survey completed in
16 December 2004. Effective July 1, 2012, the child care provider
17 reimbursement rates shall remain at the rates in effect on June
18 30, 2012. The department shall set rates in a manner so as
19 to provide incentives for a nonregistered provider to become
20 registered by applying the increase only to registered and
21 licensed providers.

22 11. The department may adopt emergency rules to implement
23 this section.

24 Sec. 105. EMERGENCY RULES.

25 1. If specifically authorized by a provision of this
26 division of this Act, the department of human services or
27 the mental health, and disability services commission may
28 adopt administrative rules under section 17A.4, subsection
29 3, and section 17A.5, subsection 2, paragraph "b", to
30 implement the provisions and the rules shall become effective
31 immediately upon filing or on a later effective date specified
32 in the rules, unless the effective date is delayed by the
33 administrative rules review committee. Any rules adopted in
34 accordance with this section shall not take effect before
35 the rules are reviewed by the administrative rules review

1 committee. The delay authority provided to the administrative
2 rules review committee under section 17A.4, subsection 7, and
3 section 17A.8, subsection 9, shall be applicable to a delay
4 imposed under this section, notwithstanding a provision in
5 those sections making them inapplicable to section 17A.5,
6 subsection 2, paragraph "b". Any rules adopted in accordance
7 with the provisions of this section shall also be published as
8 notice of intended action as provided in section 17A.4.

9 2. If during the fiscal year beginning July 1, 2012, the
10 department of human services is adopting rules in accordance
11 with this section or as otherwise directed or authorized by
12 state law, and the rules will result in an expenditure increase
13 beyond the amount anticipated in the budget process or if the
14 expenditure was not addressed in the budget process for the
15 fiscal year, the department shall notify the persons designated
16 by this division of this Act for submission of reports,
17 the chairpersons and ranking members of the committees on
18 appropriations, and the department of management concerning the
19 rules and the expenditure increase. The notification shall be
20 provided at least 30 calendar days prior to the date notice of
21 the rules is submitted to the administrative rules coordinator
22 and the administrative code editor.

23 Sec. 106. REPORTS. Any reports or information required to
24 be compiled and submitted under this Act shall be submitted
25 to the chairpersons and ranking members of the joint
26 appropriations subcommittee on health and human services, the
27 legislative services agency, and the legislative caucus staffs
28 on or before the dates specified for submission of the reports
29 or information.

30 Sec. 107. EFFECTIVE DATE. The following provision of this
31 division of this Act, being deemed of immediate importance,
32 take effect upon enactment:

33 The provision under the appropriation for child and family
34 services, relating to requirements of section 232.143 for
35 representatives of the department of human services and

1 juvenile court services to establish a plan for continuing
2 group foster care expenditures for fiscal year 2012-2013.

3 DIVISION XIV

4 PHARMACEUTICAL SETTLEMENT ACCOUNT,

5 IOWACARE ACCOUNT, HEALTH CARE

6 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT,

7 QUALITY ASSURANCE TRUST FUND,

8 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND — FY 2012-2013

9 Sec. 108. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
10 appropriated from the pharmaceutical settlement account created
11 in section 249A.33 to the department of human services for the
12 fiscal year beginning July 1, 2012, and ending June 30, 2013,
13 the following amount, or so much thereof as is necessary, to be
14 used for the purpose designated:

15 Notwithstanding any provision of law to the contrary, to
16 supplement the appropriations made in this Act for medical
17 contracts under the medical assistance program:

18 \$ 5,433,613

19 Sec. 109. APPROPRIATIONS FROM IOWACARE ACCOUNT.

20 1. There is appropriated from the IowaCare account
21 created in section 249J.24 to the state board of regents for
22 distribution to the university of Iowa hospitals and clinics
23 for the fiscal year beginning July 1, 2012, and ending June 30,
24 2013, the following amount, or so much thereof as is necessary,
25 to be used for the purposes designated:

26 For salaries, support, maintenance, equipment, and
27 miscellaneous purposes, for the provision of medical and
28 surgical treatment of indigent patients, for provision of
29 services to members of the expansion population pursuant to
30 chapter 249J, and for medical education:

31 \$ 27,284,584

32 a. Funds appropriated in this subsection shall not be used
33 to perform abortions except medically necessary abortions,
34 and shall not be used to operate the early termination of
35 pregnancy clinic except for the performance of medically

1 necessary abortions. For the purpose of this subsection,
2 medically necessary abortions are those performed under any of
3 the following conditions:

4 (1) The attending physician certifies that continuing the
5 pregnancy would endanger the life of the pregnant woman.

6 (2) Any spontaneous abortion, commonly known as a
7 miscarriage, if not all of the products of conception are
8 expelled.

9 b. Notwithstanding any provision of law to the contrary,
10 the amount appropriated in this subsection shall be distributed
11 based on claims submitted, adjudicated, and paid by the Iowa
12 Medicaid enterprise.

13 c. The university of Iowa hospitals and clinics shall
14 certify public expenditures in an amount equal to provide
15 the nonfederal share on total expenditures not to exceed
16 \$20,000,000.

17 2. There is appropriated from the IowaCare account
18 created in section 249J.24 to the state board of regents for
19 distribution to the university of Iowa hospitals and clinics
20 for the fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is necessary,
22 to be used for the purposes designated:

23 For salaries, support, maintenance, equipment, and
24 miscellaneous purposes, for the provision of medical and
25 surgical treatment of indigent patients, for provision of
26 services to members of the expansion population pursuant to
27 chapter 249J, and for medical education:
28 \$ 54,226,279

29 Notwithstanding any provision of law to the contrary, the
30 amount appropriated in this subsection shall be distributed
31 based on claims submitted, adjudicated, and paid by the Iowa
32 Medicaid enterprise.

33 3. There is appropriated from the IowaCare account
34 created in section 249J.24, to the state board of regents for
35 distribution to university of Iowa physicians for the fiscal

1 year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary to be used for the purposes designated:

For salaries, support, maintenance, equipment, and miscellaneous purposes for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, and for medical education:
..... \$ 14,000,000

Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise. Once the entire amount appropriated in this subsection has been distributed, claims shall continue to be submitted and adjudicated by the Iowa Medicaid enterprise; however, no payment shall be made based upon such claims.

4. There is appropriated from the IowaCare account created in section 249J.24 to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For distribution to a publicly owned acute care teaching hospital located in a county with a population over 350,000 for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, and for medical education:
..... \$ 51,500,000

a. Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise plus a monthly disproportionate share hospital payment. Any amount appropriated in this subsection in excess of \$48,500,000 shall be distributed only if the sum of the expansion population claims adjudicated and paid by the Iowa Medicaid enterprise plus the estimated disproportionate

1 share hospital payments exceeds \$48,500,000. The amount paid
2 in excess of \$48,500,000 shall not adjust the original monthly
3 payment amount but shall be distributed monthly based on actual
4 claims adjudicated and paid by the Iowa Medicaid enterprise
5 plus the estimated disproportionate share hospital amount. Any
6 amount appropriated in this subsection in excess of \$48,500,000
7 shall be allocated only if federal funds are available to match
8 the amount allocated.

9 b. Notwithstanding the total amount of proceeds distributed
10 pursuant to section 249J.24, subsection 6, paragraph "a",
11 unnumbered paragraph 1, for the fiscal year beginning July
12 1, 2012, and ending June 30, 2013, the county treasurer of a
13 county with a population of over 350,000 in which a publicly
14 owned acute care teaching hospital is located shall distribute
15 the proceeds collected pursuant to section 347.7 in a total
16 amount of \$38,000,000, which would otherwise be distributed to
17 the county hospital, to the treasurer of state for deposit in
18 the IowaCare account.

19 c. (1) Notwithstanding the amount collected and
20 distributed for deposit in the IowaCare account pursuant to
21 section 249J.24, subsection 6, paragraph "a", subparagraph
22 (1), the first \$19,000,000 in proceeds collected pursuant to
23 section 347.7 between July 1, 2012, and December 31, 2012,
24 shall be distributed to the treasurer of state for deposit in
25 the IowaCare account and collections during this time period in
26 excess of \$19,000,000 shall be distributed to the acute care
27 teaching hospital identified in this subsection.

28 (2) Notwithstanding the amount collected and distributed
29 for deposit in the IowaCare account pursuant to section
30 249J.24, subsection 6, paragraph "a", subparagraph (2),
31 the first \$19,000,000 in collections pursuant to section
32 347.7 between January 1, 2013, and June 30, 2013, shall be
33 distributed to the treasurer of state for deposit in the
34 IowaCare account and collections during this time period in
35 excess of \$19,000,000 shall be distributed to the acute care

1 teaching hospital identified in this subsection.

2 5. There is appropriated from the IowaCare account created
3 in section 249J.24 to the department of human services for the
4 fiscal year beginning July 1, 2012, and ending June 30, 2013,
5 the following amount, or so much thereof as is necessary to be
6 used for the purpose designated:

7 For payment to the regional provider network specified
8 by the department pursuant to section 249J.7 for provision
9 of covered services to members of the expansion population
10 pursuant to chapter 249J:

11 \$ 6,000,000

12 Notwithstanding any provision of law to the contrary, the
13 amount appropriated in this subsection shall be distributed
14 based on claims submitted, adjudicated, and paid by the Iowa
15 Medicaid enterprise. Once the entire amount appropriated in
16 this subsection has been distributed, claims shall continue to
17 be submitted and adjudicated by the Iowa Medicaid enterprise;
18 however, no payment shall be made based upon such claims.

19 6. There is appropriated from the IowaCare account created
20 in section 249J.24 to the department of human services for the
21 fiscal year beginning July 1, 2012, and ending June 30, 2013,
22 the following amount, or so much thereof as is necessary to be
23 used for the purposes designated:

24 For payment to nonparticipating providers for covered
25 services provided in accordance with section 249J.24A:

26 \$ 2,000,000

27 Sec. 110. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
28 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

29 Notwithstanding any provision to the contrary, there is
30 appropriated from the account for health care transformation
31 created in section 249J.23 to the department of human services
32 for the fiscal year beginning July 1, 2012, and ending June
33 30, 2013, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 1. For the costs of medical examinations for the expansion

1 population pursuant to section 249J.6:
2 \$ 556,800
3 2. For the provision of an IowaCare nurse helpline for the
4 expansion population as provided in section 249J.6:
5 \$ 100,000
6 3. For other health promotion partnership activities
7 pursuant to section 249J.14:
8 \$ 600,000
9 4. For the costs related to audits, performance
10 evaluations, and studies required pursuant to chapter 249J:
11 \$ 125,000
12 5. For administrative costs associated with chapter 249J:
13 \$ 1,132,412
14 6. For planning and development, in cooperation with the
15 department of public health, of a phased-in program to provide
16 a dental home for children in accordance with section 249J.14:
17 \$ 1,000,000
18 7. For continuation of the establishment of the tuition
19 assistance for individuals serving individuals with
20 disabilities pilot program, as enacted in 2008 Iowa Acts,
21 chapter 1187, section 130:
22 \$ 50,000
23 8. For medical contracts:
24 \$ 2,000,000
25 9. For payment to the publicly owned acute care teaching
26 hospital located in a county with a population of over 350,000
27 that is a participating provider pursuant to chapter 249J:
28 \$ 290,000

29 Disbursements under this subsection shall be made monthly.
30 The hospital shall submit a report following the close of the
31 fiscal year regarding use of the funds appropriated in this
32 subsection to the persons specified in this Act to receive
33 reports.

34 Notwithstanding section 8.39, subsection 1, without the
35 prior written consent and approval of the governor and the

1 director of the department of management, the director of human
2 services may transfer funds among the appropriations made in
3 this section as necessary to carry out the purposes of the
4 account for health care transformation. The department shall
5 report any transfers made pursuant to this section to the
6 legislative services agency.

7 10. For the medical home system advisory council
8 established pursuant to section 135.159:

9 \$ 200,000

10 Sec. 111. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF
11 INSPECTIONS AND APPEALS. There is appropriated from the
12 Medicaid fraud account created in section 249A.7 to the
13 department of inspections and appeals for the fiscal year
14 beginning July 1, 2012, and ending June 30, 2013, the following
15 amount, or so much thereof as is necessary, to be used for the
16 purposes designated:

17 For the inspection and certification of assisted living
18 programs and adult day care services, including program
19 administration and costs associated with implementation:

20 \$ 1,339,527

21 Sec. 112. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF HUMAN
22 SERVICES. There is appropriated from the Medicaid fraud
23 account created in section 249A.7 to the department of human
24 services for the fiscal year beginning July 1, 2012, and ending
25 June 30, 2013, the following amount, or so much thereof as is
26 necessary, to be used for the purposes designated:

27 To supplement the appropriation made in this Act from the
28 general fund of the state to the department of human services
29 for medical assistance:

30 \$ 2,000,000

31 Sec. 113. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
32 HUMAN SERVICES. Notwithstanding any provision to the contrary
33 and subject to the availability of funds, there is appropriated
34 from the quality assurance trust fund created in section
35 249L.4 to the department of human services for the fiscal year

1 beginning July 1, 2012, and ending June 30, 2013, the following
2 amounts, or so much thereof as is necessary for the purposes
3 designated:

4 To supplement the appropriation made in this Act from the
5 general fund of the state to the department of human services
6 for medical assistance:

7 \$ 29,000,000

8 Sec. 114. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
9 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
10 the contrary and subject to the availability of funds, there is
11 appropriated from the hospital health care access trust fund
12 created in section 249M.4 to the department of human services
13 for the fiscal year beginning July 1, 2012, and ending June
14 30, 2013, the following amounts, or so much thereof as is
15 necessary, for the purposes designated:

16 1. To supplement the appropriation made in this Act from the
17 general fund of the state to the department of human services
18 for medical assistance:

19 \$ 39,223,800

20 2. For deposit in the nonparticipating provider
21 reimbursement fund created in section 249J.24A to be used for
22 the purposes of the fund:

23 \$ 776,200

24 Sec. 115. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
25 FOR FY 2012-2013. Notwithstanding section 8.33, if moneys
26 appropriated for purposes of the medical assistance program
27 for the fiscal year beginning July 1, 2012, and ending June
28 30, 2013, from the general fund of the state, the Medicaid
29 fraud account, the quality assurance trust fund, and the
30 hospital health care access trust fund, are in excess of actual
31 expenditures for the medical assistance program and remain
32 unencumbered or unobligated at the close of the fiscal year,
33 the excess moneys shall not revert but shall remain available
34 for expenditure for the purposes of the medical assistance
35 program until the close of the succeeding fiscal year.

DIVISION XV

MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FOR FISCAL YEAR
2012-2013

1
2 Sec. 116. MENTAL HEALTH, MENTAL RETARDATION, AND
3 DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX
4 RELIEF. Notwithstanding the standing appropriation in section
5 426B.1, subsection 2, for the fiscal year beginning July 1,
6 2012, and ending June 30, 2013, the amount appropriated from
7 the general fund of the state pursuant to that provision shall
8 not exceed the following amount:

9 \$ 81,199,911

10 Sec. 117. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING —
11 FY 2012-2013.

12 1. There is appropriated from the general fund of the
13 state to the department of human services for the fiscal year
14 beginning July 1, 2012, and ending June 30, 2013, the following
15 amount, or so much thereof as is necessary, to be used for the
16 purpose designated:

17 For distribution to counties of the county mental health,
18 mental retardation, and developmental disabilities allowed
19 growth factor adjustment for fiscal year 2012-2013 as provided
20 in this section in lieu of the allowed growth factor provisions
21 of section 331.438, subsection 2, and section 331.439,
22 subsection 3, and chapter 426B:

23 \$ 48,697,893

24 2. Of the amount appropriated in this section, \$12,000,000
25 shall be distributed as provided in this subsection.

26 a. To be eligible to receive a distribution under this
27 subsection, a county must meet the following requirements:

28 (1) The county is levying for the maximum amount allowed
29 for the county's mental health, mental retardation, and
30 developmental disabilities services fund under section 331.424A
31 for taxes due and payable in the fiscal year beginning July 1,
32 2012, or the county is levying for at least 90 percent of the
33 maximum amount allowed for the county's services fund and that
34
35

1 levy rate is more than \$2 per \$1,000 of the assessed value of
2 all taxable property in the county.

3 (2) In the fiscal year beginning July 1, 2010, the
4 county's mental health, mental retardation, and developmental
5 disabilities services fund ending balance under generally
6 accepted accounting principles was equal to or less than 15
7 percent of the county's actual gross expenditures for that
8 fiscal year.

9 b. The amount of a county's distribution from the allocation
10 made in this subsection shall be determined based upon the
11 county's proportion of the general population of the counties
12 eligible to receive a distribution under this subsection. The
13 most recent population estimates issued by the United States
14 bureau of the census shall be applied in determining population
15 for the purposes of this paragraph.

16 c. The distributions made pursuant to this subsection
17 are subject to the distribution provisions and withholding
18 requirements established in this section for the county mental
19 health, mental retardation, and developmental disabilities
20 allowed growth factor adjustment for the fiscal year beginning
21 July 1, 2012.

22 3. The following amount of the funding appropriated in this
23 section is the allowed growth factor adjustment for fiscal
24 year 2012-2013, and shall be credited to the allowed growth
25 funding pool created in the property tax relief fund and for
26 distribution in accordance with section 426B.5, subsection 1:
27 \$ 36,697,893

28 4. The following formula amounts shall be utilized only
29 to calculate preliminary distribution amounts for the allowed
30 growth factor adjustment for fiscal year 2012-2013 under this
31 section by applying the indicated formula provisions to the
32 formula amounts and producing a preliminary distribution total
33 for each county:

34 a. For calculation of a distribution amount for eligible
35 counties from the allowed growth funding pool created in the

1 property tax relief fund in accordance with the requirements in
2 section 426B.5, subsection 1:

3 \$ 49,773,346

4 b. For calculation of a distribution amount for counties
5 from the mental health and developmental disabilities (MH/DD)
6 community services fund in accordance with the formula provided
7 in the appropriation made for the MH/DD community services fund
8 for the fiscal year beginning July 1, 2012:

9 \$ 14,187,556

10 5. a. After applying the applicable statutory distribution
11 formulas to the amounts indicated in subsection 4 for purposes
12 of producing preliminary distribution totals, the department
13 of human services shall apply a withholding factor to adjust
14 an eligible individual county's preliminary distribution
15 total. In order to be eligible for a distribution under this
16 section, a county must be levying 90 percent or more of the
17 maximum amount allowed for the county's mental health, mental
18 retardation, and developmental disabilities services fund under
19 section 331.424A for taxes due and payable in the fiscal year
20 for which the distribution is payable.

21 b. An ending balance percentage for each county shall
22 be determined by expressing the county's ending balance on a
23 modified accrual basis under generally accepted accounting
24 principles for the fiscal year beginning July 1, 2010, in the
25 county's mental health, mental retardation, and developmental
26 disabilities services fund created under section 331.424A, as a
27 percentage of the county's gross expenditures from that fund
28 for that fiscal year. If a county borrowed moneys for purposes
29 of providing services from the county's services fund on or
30 before July 1, 2010, and the county's services fund ending
31 balance for that fiscal year includes the loan proceeds or an
32 amount designated in the county budget to service the loan for
33 the borrowed moneys, those amounts shall not be considered
34 to be part of the county's ending balance for purposes of
35 calculating an ending balance percentage under this subsection.

1 c. For purposes of calculating withholding factors and for
2 ending balance amounts used for other purposes under law, the
3 county ending balances shall be adjusted, using forms developed
4 for this purpose by the county finance committee, to disregard
5 the temporary funding increase provided to the counties for
6 the fiscal year through the federal American Recovery and
7 Reinvestment Act of 2009, Pub. L. No. 111-5. In addition, a
8 county may adjust the ending balance amount by rebating to the
9 department all or a portion of the allowed growth and MH/DD
10 services fund moneys the county received for the fiscal year
11 beginning July 1, 2011, in accordance with this Act, or from
12 any other services fund moneys available to the county. The
13 rebate must be remitted to the department on or before June 1,
14 2012, in order to be counted. The amount rebated by a county
15 shall be subtracted dollar-for-dollar from the county's ending
16 balance amount for the fiscal year beginning July 1, 2010,
17 for purposes of calculating the withholding factor and for
18 other ending balance purposes for the fiscal year beginning
19 July 1, 2012. The rebates received by the department shall be
20 credited to the property tax relief fund and distributed as
21 additional funding for the fiscal year beginning July 1, 2012,
22 in accordance with the formula provisions in this section.

23 d. The withholding factor for a county shall be the
24 following applicable percent:

25 (1) For an ending balance percentage of less than 5
26 percent, a withholding factor of 0 percent. In addition,
27 a county that is subject to this lettered paragraph shall
28 receive an inflation adjustment equal to 3 percent of the gross
29 expenditures reported for the county's services fund for the
30 fiscal year.

31 (2) For an ending balance percentage of 5 percent or more
32 but less than 10 percent, a withholding factor of 0 percent.
33 In addition, a county that is subject to this lettered
34 paragraph shall receive an inflation adjustment equal to 2
35 percent of the gross expenditures reported for the county's

1 services fund for the fiscal year.

2 (3) For an ending balance percentage of 10 percent or more
3 but less than 25 percent, a withholding factor of 25 percent.
4 However, for counties with an ending balance of 10 percent or
5 more but less than 15 percent, the amount withheld shall be
6 limited to the amount by which the county's ending balance was
7 in excess of the ending balance percentage of 10 percent.

8 (4) For an ending balance percentage of 25 percent or more,
9 a withholding percentage of 100 percent.

10 6. The total withholding amounts applied pursuant to
11 subsection 5 shall be equal to a withholding target amount of
12 \$13,075,453. If the department of human services determines
13 that the amount appropriated is insufficient or the amount to
14 be withheld in accordance with subsection 5 is not equal to
15 the target withholding amount, the department shall adjust the
16 withholding factors listed in subsection 5 as necessary to
17 achieve the target withholding amount. However, in making such
18 adjustments to the withholding factors, the department shall
19 strive to minimize changes to the withholding factors for those
20 ending balance percentage ranges that are lower than others and
21 shall only adjust the zero withholding factor or the inflation
22 adjustment percentages specified in subsection 5, paragraph
23 "d", when the amount appropriated is insufficient.